

committee to be recommended by the delegates representing the counties composing the senatorial districts respectively, each county voting its convention strength, each of whom shall hold said office until his successor is elected; and, in case of a vacancy, a majority of the members of said committee shall fill the same by electing some eligible person thereto.

NINTH DAY.

Senate Chamber,
Austin, Texas,
Friday, Oct. 1, 1920.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Absent.

Bledsoe.	Westbrook.
Hopkins.	

Absent—Excused.

Davidson.	Hall.
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Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Dorrough.

Senator Davidson Excused.

Senator Davidson was excused for today on account of important business.

Executive Session Hour Changed.

Upon motion of Senator McNealus the hour for executive session was

changed from 11 a. m. today to 11:45.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Message from the Governor.

A messenger from the Governor appeared at the bar of the Senate with the following executive message:

Governor's Office,
Austin, Texas, Sept. 30, 1920.
To the Thirty-sixth Legislature in
Fourth Called Session.

Gentlemen: In view of the present demoralized market and greatly reduced price of the cotton crop, I deem it proper and imperative that the attention of the Legislature of Texas be invited to the situation now facing the farmers and the entire cotton industry of Texas.

I believe this condition to be largely the result of the policy of the Secretary of the Treasury Houston in making repeated statements that the prices of commodities must go far lower, and of the tightening of credits through action of the Federal Reserve system in following out this policy. No section of this nation will suffer as a result of this attitude more than will the South, which this year has grown the most costly crop ever produced, and should such policy be continued, it will bring a fearful loss to the entire cotton growing area, and eventually will cause a great scarcity in production.

Taking advantage of the Treasury Department's announced policy, cotton mills here and abroad have not bought any large quantities of cotton for the past four months, and will not buy raw cotton as long as such policy is continued, which is forcing agricultural products on the market at prices far below the cost of production.

In venturing to suggest the only course which has occurred to my mind as being feasible and at the same time promising any measure of temporary immediate relief, I respectfully recommend to the Legislature

that it give consideration to the entire problem with a view to such strong and immediate action, along this line, or in any other manner, as will tend to check and stabilize the rapidly decreasing price of cotton.

The cotton industry is the greatest industry in Texas, and the basis of our general prosperity. I am so deeply impressed with the vital importance of the solution of the problems confronting those engaged in this industry and having so large and so direct a bearing upon the prosperity and welfare of all the citizens of the State, that I feel the farmers of Texas should be appealed to by the Legislature, in the strongest and most urgent terms, to withhold from the market and to refuse to sell any cotton whatever for a period of at least two weeks, and thereafter under no circumstances to flood the market with the present crop but to market the same in a slow and gradual manner. And in order to make such a concerted effort on the part of the farmers successful in protecting themselves from a total loss of a year's labor, I believe that all the resources of our Federal banking system should immediately come to the rescue and should give the world notice to that effect and that all banks and bankers in Texas, whose interests are aligned with and dependent upon the continued prosperity of the farmers and the Federal Reserve Banks, should be urged by the Legislature to lend the fullest possible degree of co-operation to those farmers who will need outside financial aid to tide them over during the time they hold their crop for the return of prices that will insure them a reward for their labor and the reimbursement of funds invested in this year's crop.

As long as the farmers are selling more cotton than is demanded by the mills, and the banks and banking system are not backing to the limit, I see no prospect of a change in the declining prices and not a chance for the demoralized market to rally. It is my information that under present conditions, farmers have little prospect of getting more for their cotton crop than the bare cost of picking and ginning, without taking into account of growing the crops. In other words, it is now represented that unless the market value of cotton rises, unless the Treasury Department policy referred to be discontinued or

modified, or unless adequate steps be taken to hold the cotton and finance the farmer through until better times, it would be to the farmer's financial advantage to let the whole crop go to waste in the field after a year's costly labor upon it rather than to pick and gin it and sell at the best prices offered today.

It is my belief that such an attempt to stabilize the cotton market, with regard to which I am suggesting an expression from the Legislature, is as much in the interest of the manufacturer of cotton products as it is in the interest of the banker and the interest of the farmer himself. This follows since speculators and manipulators in Europe and America are taking advantage of the attitude of the Secretary of the Treasury outlining the attempts of his department to force down the price of commodities, and as long as the prices obtainable for cotton are below the cost of production, the cotton cannot be gathered and marketed and a shortage of raw material will inevitably result in the closing of manufacturing establishments. Foreign markets and foreign buyers are now taking advantage of this unfortunate policy and there is little hope for the cotton grower until the mills are made to know that our government's financial system will back them to the limit with its resources.

Instead of having the intended result, such a policy and such conditions, if permitted to continue, will have directly the opposite effect, since a shortage of production, a lack of raw materials and a scarcity of finished product could do no other than to penalize the consumers in the long run with far higher prices than could apply if the market were guided by the law of supply and demand rather than manipulated by gamblers, unscrupulous operators and selfish interests.

I believe a declaration on the part of the Legislature, representing all the people of Texas, favoring the policy I have mentioned will have a tendency to restore confidence to the producer, and will serve as a warning to the gamblers and manipulators who are seeking to get the cotton crop of Texas in their possession without paying what it is worth.

And I trust, further, that the wisdom and judgment of the Legislature may be applied to this sub-

ject, in the interest, either directly or indirectly, of all the people of Texas, with a view of saving the farmers of the State from the loss of the investment put into the most costly crop they have yet produced and from the loss of a year's hard and toilsome labor.

Your body has already given evidence of your purpose to do whatever may be possible to protect the cotton growers in future years against manipulation of the price of their products. In view of the immediacy and the pressing nature of the prices now confronting them, I urge a firm declaration by you both as a means of relief and as a guidance in the establishment of a permanent policy.

Respectfully submitted,

W. P. HOBBY,
Governor.

Bills and Resolutions

Senate Concurrent Resolution No. 6.

By Dayton.

Whereas, The cotton market of Texas is in such a depressed condition at this time as to mean almost certain ruin and financial disaster to the great mass of cotton growers of Texas, which depressed market has been caused, it is believed, in a large measure, by the statements and actions attributed to the Federal Reserve Board and to the Secretary of the Treasury, in refusing aid to the cotton growers of the South, under statement that "finances and credits for holding commodities will be assisting in conspiracy in restraint of trade," etc., and apparent opposition of Secretary of Treasury to sell to Central Europe on a credit basis, etc., which are calculated to destroy the cotton industry of Texas, and wreck, subsidize and ruin the cotton producers of Texas; and

Whereas, The cotton growing South will suffer more than any other section of the United States, if this policy is persisted in and carried out, and

Whereas, The situation has become so grave as to cause the Governor of Texas on September 29th of this year to submit a special message to the Legislature for purpose of amending anti-trust laws of Texas, so that Texas farmers might hold their cotton without violating same, and

Whereas, Among other things said message contains the following statement: "The marketing conditions which confront the farmers of Texas were never more unfavorable than at present," and that "when producers of this State have frequently been the victims of manipulators, organizations and combinations, the widest freedom of action should, in my judgment, be accorded the farmers of Texas for their own protection," etc., and

Resolved, by the Senate of Texas, House of Representatives concurring, That we invoke the help, assistance and good offices of all those agencies of the Government and the whole people of these United States for the help and protection of our cotton growers; that we most earnestly entreat all these agencies to help us market our cotton, wherever we can, in the markets of the world, to best advantage, and in a gradual manner so as not to glut said markets; that the Secretary of the Senate be requested to forward copy of these resolutions to Governor Harding of Federal Reserve Board and Secretary of the Treasury Houston at Washington, D. C., to the end that they may correctly state the position of those agencies of our Government in this connection, as it is apparent that the statements recently made by Governor Harding to the delegates from Texas, of the American Cotton Association, have been incorrectly reported by the newspapers and an entirely different and conflicting meaning has been conveyed to the public mind to that intended by Governor Harding, which impression has had effect of still lowering the cotton market and adding additional uneasiness to the cotton market, to the end that the public, and especially the cotton growers of the South, may be correctly informed of the meaning and intent of the Federal Reserve Board's position and intention towards them and their cotton markets; and the true and correct statements of Governor Harding concerning credit assistance, and the policy of the Secretary of the Treasury in this connection, we earnestly request a succinct, clear and unequivocal statement from these sources, in order that same may be given widest publicity possible, for the purpose of stabilizing, financing, stimulating, aiding and enhancing the present cotton market for the relief of the en-

tire cotton growing section of the United States, and all people and industries of said section, and of Texas in particular.

The resolution was read.

On the motion of Senator Page, the resolution was referred to the Committee on Federal Relations.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, October 1, 1920.
Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Text of Senate Bill No. 1.

By Dean, Dayton, Page, Gibson, Witt, Hertzberg, Williford, Buchanan of Scurry, Alderdice and Davidson.

S. B. No. 1, A bill to be entitled "An Act to amend Article 7354, Chapter 1, Title 126, Revised Civil Statutes of Texas, and Article 2942, Chapter 4, Title 49, Revised Civil Statutes of Texas, and Article 2943, Chapter 4, Title 49, Revised Civil Statutes of Texas, and Article 2939, Chapter 4, Title 49, Revised Civil Statutes of Texas, all of said articles relating to the levy and collection of a poll tax and fixing the qualifications of voters, be eliminated from the provisions of all of the said articles the word "males" so as to levy and collect from all persons, both male and female, poll taxes, and fixing the qualifications of voters so as to include all persons, both male and female; and providing for the issuance of exemption certificates to all persons not subject to the payment of poll tax on January 1, 1919, and who obtain such exemption certificates shall be eligible to vote in all elections, general and special, held prior to February 1, 1921; prescribing penalties for the violation of any of the provisions of this act by any tax collector; providing penalties for all those voting or offering to vote in violation of any of the provisions of this act; providing that nothing herein shall repeal or affect any of the provisions of Chapter 3 of the General Laws of the First Called Session of the Thirty-sixth Legislature as approved on the 9th day of May, 1919;

fixing the venue of suits involving the validity of the provisions of this act; providing that in the event any provision or section of this act shall be declared unconstitutional, it shall not affect the remaining provisions or sections of this act; and declaring an emergency."

With engrossed rider.

H. B. No. 6, A bill to be entitled "An Act to protect the movement of commerce through the ports of Texas, defining 'ports,' declaring it to be the policy of the State that the same shall be kept open at all times in order that the movement of commerce through said ports shall not be interfered with; making it unlawful for any person to interfere with such commerce passing through such ports by interfering with persons engaged in work that is necessary for the movement of commerce; prescribing the punishment to be assessed against the persons convicted of such offense. Persons convicted of any offense under this act shall not have the benefit of the suspended sentence law. Empowering the Governor to protect the commerce passing through said ports; providing for the use of the Rangers or special Rangers in the enforcement of the provisions of this Act; providing that nothing in this Act; shall be construed as limiting the power of the Governor to declare martial law and to call forth the militia for the purpose of executing the law, and declaring an emergency."

With engrossed rider.

Respectfully submitted,

O. P. BASFORD, Acting Chief Clerk,
House of Representatives.

House Bill No. 6.

After its caption was read the Chair referred House Bill No. 6 to the Committee on Civil Jurisprudence.

Conference Committee on Senate Bill No. 1.

Senator Page sent up the following privileged motion:

I move that the Senate refuse to concur in House amendment to Senate Bill No. 1, and that a free conference committee be requested and the following conferees are elected on

the part of the Senate: Dean, Dayton, Dudley, Gibson and Buchanan of Scurry.

PAGE.

The motion was read and adopted.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, Oct. 1, 1920.

Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 11, A bill to be entitled "An Act authorizing the owner of an oil and gas permit heretofore issued by the State of Texas covering University land, who individually or in conjunction with holders of other University land, has or have performed certain development work thereunder to designate what is to be known as a University land oil and gas area, to consist of one or more, not exceeding six, blocks of University land; providing for the extension of permits covering the lands included in such area for five years from date thereof, or from the average date of a combination of such permits; providing that the commencement and completion of the development work now required thereon may be commenced and completed, respectively, at any time before the expiration of such permits or combination of permits as hereby extended; providing for the issuance of leases on the lands covered by such permits if oil or gas in commercial quantities is discovered thereon during the life of such permit; repealing all acts and parts of acts in conflict herewith, and declaring an emergency."

Respectfully submitted,

O. P. BASFORD,

Acting Chief Clerk, House of Representatives.

Simple Resolution No. 12.

Unanimous consent was granted to Senator Alderdice to send up the following resolution:

Resolved by the Senate, That the Governor be requested to submit for

the consideration of the legislature the subject of creating the Grandview Independent School District and validating a recent bond issue of that district; and the Eagle Lake Independent School District.

The resolution was read and adopted.

Senate Concurrent Resolution No. 6.

Unanimous consent was granted to take up

Senate Concurrent Resolution No. 6, In regard to the cotton situation in Texas.

(See page 119 Journal.)

The resolution was read.

The committee report carrying a substitute was read and adopted.

(See Appendix).

The resolution was adopted.

Executive Session Changed.

On the motion of Senator Dean the hour for executive session was changed from 11:45 a. m. to 4 o'clock this afternoon.

Message from the Governor.

Miss Houghton, a messenger from the Governor, presented herself at the bar of the Senate with the following executive message:

Governor's Office,

Austin, Texas, Oct. 1, 1920.

To the Texas State Senate.

Gentlemen: I ask the advice, consent and confirmation of the Senate to the appointment of the persons named on the attached list to be notaries public in and for the counties indicated.

Respectfully submitted,

W. P. HOBBY,

Governor.

See Appendix.

Senate Bill No. 22.

The Chair laid before the Senate on the calendar,

S. B. No. 22, A bill to be entitled "An Act amending Article 3107, 3108 and 3140, Title 49, Revised Civil Statutes, providing that county executive committees shall be composed of one man and one woman from each voting or justice precinct in such county; providing for the

election of a county chairman and vice chairman of the county executive committee, one of whom shall be a man and the other a woman; providing that State Convention shall, among other things, elect a chairman and a vice chairman of the State executive committee, one of whom shall be a man and the other a woman, and sixty-two members thereof, one man and one woman from each senatorial district of the State."

The bill was read.

Simple Resolution No. 13.

Unanimous consent was granted Senator Dorrough to send up S. R. No. 13:

Be it Resolved, That the pay of the pages of the Senate be increased from \$2.00 per day to \$2.50 per day, beginning with tolay.

DOROUGH.

The resolution was read.

Senator Clark moved to amend the resolution so as to read \$3.00 per day starting tomorrow.

Senator Hopkins moved as a substitute to pay them \$5.00 a day starting tomorrow.

On the motion of Senator Dayton the substitute was tabled by the following vote:

Yeas—21.

Alderdice.	Hertzberg.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Carlock.	Rector.
Clark.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Nays—4.

Caldwell.	Hopkins.
Dudley.	Parr.

Present—Not Voting.

Cousins.

Absent.

Bailey.	Strickland.
Bledsoe.	

Absent—Excused.

Davidson.	Hall.
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On the motion of Senator Hopkins

the amendment of Senator Clark's was tabled by the following vote:

Yeas—18.

Alderdice.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Carlock.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Faust.	Williford.
Floyd.	Woods.

Nays—7.

Caldwell.	McNealus.
Clark.	Parr.
Dudley.	Witt.
Gibson.	

Present—Not Voting.

Cousins.

Absent.

Bailey.	Strickland.
Bledsoe.	

Absent—Excused.

Davidson.	Hall.
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Senator Floyd moved to table the resolution.

The motion to table failed by the following vote:

Yeas—11.

Buchanan of Bell.	Hopkins.
Carlock.	Page.
Dean.	Suiter.
Floyd.	Westbrook.
Gibson.	Woods.
Hertzberg.	

Nays—13.

Alderdice.	McNealus.
Buchanan of Scurry.	Parr.
Caldwell.	Rector.
Clark.	Smith.
Dayton.	Williford.
Dudley.	Witt.
Faust.	

Present—Not Voting.

Cousins.

Absent.

Bailey.	Dorough.
Bledsoe.	Strickland.

Absent—Excused.

Davidson.	Hall.
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The resolution failed to be adopted by the following vote, the Chair voting nay:

Yeas—12.

Alderdice.	Faust.
Buchanan of Scurry.	McNealus.
Caldwell.	Parr.
Clark.	Rector.
Dayton.	Smith.
Dudley.	Witt.

Nays—12.

Buchanan of Bell.	Page.
Carlock.	Suiter.
Dean.	Westbrook.
Floyd.	Williford.
Gibson.	Woods.
Hertzberg.	The Chair.
Hopkins.	

Present—Not Voting.

Cousins.

Absent.

Bailey.	Dorough.
Bledsoe.	Strickland.

Absent—Excused.

Davidson.	Hall.
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Senate Bill No. 22.

Senator Dayton sent up the following amendment:

Amend Senate Bill No. 22, by adding thereto Section 4 in words and figures as follows:

"Section 4. The importance of this measure to the people of Texas and the fact that there are but a few days remaining of the present session of the Legislature, create an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days be suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

And adding to the caption "and declaring an emergency."

The amendment was read and adopted.

Senator Page sent up the following amendment:

Amend the bill, Section 3, by striking out the words "on the second Tuesday in August, 1912," and insert in lieu thereof the following: "on the Tuesday after the second

Monday after the fourth Saturday in August, 1918."

The amendment was read and adopted.

The bill was passed to engrossment.

On motion of Senator Page, the Constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 22 was put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Bailey.	Strickland.
Bledsoe.	

Absent—Excused.

Davidson.	Hall.
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The bill was read third time and finally passed by the following vote:

Yeas—21.

Alderdice.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dudley.	Williford.
Floyd.	Woods.
Gibson.	

Nays—5.

Cousins.	McNealus.
Dorough.	Witt.
Faust.	

Absent.

Bailey.	Strickland.
Bledsoe.	

Absent—Excused.

Davidson.	Hall.
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Bill Signed.

After its caption was read, the Chair signed in the presence of the Senate Senate Bill No. 11.

House Bill No. 6.

Unanimous consent was granted to take up:

By Mr. Fly, Mr. Sackett and Mr. Davis.

H. B. No. 6, A bill to be entitled "An Act to protect the movement of commerce through the ports of Texas, denning 'ports,' declaring it to be the policy of the State that the same shall be kept open at all times in order that the movement of commerce through said ports shall not be interfered with; making it unlawful for any person to interfere with such commerce passing through such ports by interfering with persons engaged in work that is necessary for the movement of commerce; prescribing the punishment to be assessed against the persons convicted of such offense. Persons convicted of any offense under this act shall not have the benefit of the suspended sentence law. Empowering the Governor to protect the commerce passing through said ports; providing for the use of the Rangers or special Rangers in the enforcement of the provisions of this Act; providing that nothing in this Act shall be construed as limiting the power of the Governor to declare martial law and to call forth the militia for the purpose of executing the law, and declaring an emergency."

The bill was read second time.

On motion of Senator Dean, the Constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 6 was put on its second reading by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Floyd.

Nays—1.

Parr.

Absent.

Bailey.
Bledsoe.

Strickland.

Absent—Excused.

Davidson.

Hall.

The bill was read second time.

The senate rule requiring committee reports to lie over one day was suspended by the following vote:

Yeas—23.

Alderdice.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Page.
Clark.	Rector.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

—Nays—2.

McNealus.

Parr.

Absent.

Bailey.
Bledsoe.

Smith.
Strickland.

Absent—Excused.

Davidson.

Hall.

The committee report that bill be not printed and carrying amendment was adopted.

The bill was passed to third reading.

On motion of Senator Dean, the Constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 6 was put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.

Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Nays—1.

McNealus.

Absent.

Bledsoe.	Smith.
Caldwell.	Strickland.

Absent—Excused.

Davidson. Hall.

The bill was read third time and finally passed by the following vote.

Yeas—23.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Page.
Clark.	Rector.
Cousins.	Suiter.
Dayton.	Williford.
Dean.	Witt.
Dorough.	Woods.
Dudley.	

Nays—2.

McNealus. Parr.

Absent.

Bledsoe.	Strickland.
Smith.	Westbrook.

Absent—Excused.

Davidson. Hall.

Recess.

The Senate at 12.30 p. m., on the motion of Senator Gibson, recessed until 3 o'clock this afternoon.

Afternoon Session.

The Senate was called to order at 3 o'clock p. m. by Lieutenant Governor Johnson pursuant to recess.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, October 1, 1920.

Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House grants the request of the Senate for a free conference committee on Senate Bill No. 1, and the following committee has been appointed: Johnson of Travis, Curtis, John Davis, Darroch, Satterwhite.

Refused to concur in amendments to House Bill No. 6, and asks for a conference committee. The following have been appointed on the part of the House:

Foley, Williams of McLennan, Miller of Dallas, McDowra and Hall.

Respectfully submitted,

O. P. BASFORD, Acting Chief Clerk,
House of Representatives.

Conference Committee on House Bill No. 6.

Senator Dean sent up the following privilege motion:

I move that the Senate grant the request of the House for a free conference committee on House Bill No. 6, and that the following be elected on the part of the Senate as members of said committee:

Page, Carlock, Woods, Buchanan of Bell, Hertzberg.

The motion was read and adopted.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas October 1, 1920.

Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 5, inviting Judge W. F. Ramsey to address a joint session of the Legislature at 2 o'clock p. m. October 2nd.

Senate Bill No. 20, creating the Perryton Independent School District in Ochiltree County.

Respectfully submitted,

O. P. BASFORD, Acting Chief Clerk,
House of Representatives.

House Concurrent Resolution No. 5.

The Chair laid before the Senate

House Concurrent Resolution No. 5, asking Judge W. F. Ramsey to address the Senate Saturday, October 2, 1920, at 1 o'clock.

The resolution was read and adopted.

Hour for Executive Session.

The hour having arrived for the executive session, the Chair at 4 o'clock p. m. instructed the sergeant-at-arms to clear the Senate and prepare the chamber for executive session.

Executive Session.

The secretary reported to the journal clerk the confirmation of the following appointments of the Governor by the Senate in executive session:

J. T. McMillin of Greenville, Texas, to be Commissioner of Insurance and Banking, appointed August 1, 1920, vice J. C. Chidsey, of Houston, resigner.

Dr. Oscar Davis of Navasota, Texas, to be State Health Officer, appointed September 1, 1920, vice Dr. C. W. Goddard of Holland, Texas, resigned.

Charles Mills Crawford of Childress, Texas, to be Assistant Adjutant General, appointed September 1, 1920, vice Col. H. C. Smith of Manor, Texas, resigned.

Miss Mary Marrs of Stephenville, Texas, to be a member of the Texas State Text Book Commission, appointed September 6, 1920, vice Miss Lizzie M. Barbour of Brownsville, Texas, resigned.

Hood Boone of Pharr, Texas, to be District Judge of the Seventy-ninth Judicial District, appointed September 1, 1920, vice V. W. Taylor of Alice, Texas, resigned.

C. G. Calhoun of Tyler, Texas, to be District Attorney of the Seventh Judicial District, appointed September 3, 1920, vice D. M. Maynor of Quitman, Texas, resigned.

C. C. Parker of Wharton, Texas, to be District Attorney of the Twenty-third Judicial District, appointed September 3, 1920, to become effective October 1, 1920, vice J. W. Conger of Wharton, Texas, resigned.

Also all persons named on the attached lists to be notaries public in and for the counties indicated.

Notaries.

Name.	County.
W. H. Sanford	Wichita
R. H. Dunn	Jefferson
Roy Bailey	Hale
V. M. Johnson	Anderson
Ruby B. Flack	Wichita
W. C. Smith	Reeves
Ellengreen Smith	Reeves
A. A. Michael	Eastland
Mrs. Ida Lynn Chaffin	Eastland
Wm. Schoenberg	Lavaca
Carl Miller	Rockwall
Fred Wiese	Crosby
Emzy Pieratt	Crosby
O. S. Perfect	Taylor
H. S. Wilbur	Hemphill
Elsie Ellefson	Wichita
Emmett Paschal	Wichita
Isabel Belcher	Wichita
M. L. Bass	Wichita
W. W. McGar	Orange
F. M. Sheffield	Jefferson
J. S. Spraggins	Kaufman
L. W. Morris	Harris
Mrs. L. M. Poland	Brazos
R. I. Wilson	Lubbock
Carl T. Griffing	Lynn
Jno. L. Gammel	Harris
J. K. Estes	Wichita
D. E. Woodward	Ochiltree
H. H. Hodges	Smith
L. Richard Insirilo	Harris
E. S. Rowe	Lubbock
C. C. Clifton	Eastland
Harriett Finklea	Dallas

FIRST DISTRICT

Bowie County.

Bratton, B. L.	Maud
Carpenter, Geo. H.	Texarkana
Kennington, T. W.	Boston
Kuhl, B. H.	Texarkana
Looney, J. D.	Boston
McCright, T. E.	Boston
Hardy, Mary	Texarkana

Cass County.

Newland, C. R.	Linden
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SECOND DISTRICT

Hopkins County.

Locklear, Miss Lona M.	
.....	Sulphur Springs
Yantis, Robert Owsley	
.....	Sulphur Springs
Bussey, Earnest Raymond	
.....	Sulphur Springs

Bassett, Wallace
Sulphur Springs

Red River County.

Cook, Norton.Clarksville
 Reed, J. L., Jr.Clarksville
 Watson, Miss Myra.Clarksville
 Smith, G. Clarence.Clarksville
 Bailey, R. T.Clarksville

Delta County.

Clower, B. D.Cooper

THIRD DISTRICT

Fannin County.

Adams, Arthur.Leonard
 Dillon, John L.Leonard
 Etter, Robert D.Bonham
 Johnson, L. A.Honey Grove

Lamar County

Ellison, Peyton A.Paris
 Turner, Geo. E.Paris

FOURTH DISTRICT.

Grayson County.

Brooks, Geo. Q.Sherman
 Crass, N. Z.Sherman
 Hamilton, Geo. L.Sherman
 Parish, Chas. C.Denison
 Shipton, M. M.Sherman
 Stalcup, C. W.Sherman
 Thompson, Jno. F.Sherman
 West, John W.Sherman

Cooke County.

Gettys, P. L.Gainesville
 Hudspeth, George.Valley View

FIFTH DISTRICT.

Collin County.

Stoker, Miss F. I.McKinney
 Cobb, Louise.McKinney
 Cunningham, Clyde.Blue Ridge
 Coffman, L.Josephine

Hunt County.

Laney, J. E.Quinlan
 McCoy, Marvin P.Greenville
 Westbrook, R. E.Wolfe City
 Gates, A. J.Greenville
 Thompson, R. D.Greenville

SIXTH DISTRICT.

Dallas County.

Abby, Arch.Dallas
 Alexander, Wilma B.Dallas
 Anderson, Gayl.Dallas
 Allison, J. M.Dallas
 Barber, E. H.Dallas
 Bomar, M. J.Dallas
 Boothman, Fae.Dallas
 Beilharz, A. J.Dallas
 Buford, Fred S.Dallas
 Campbell, F. A.Dallas
 Carlson, A. C.Dallas
 Caffarel, E. B.Dallas
 Coates, MargaretDallas
 Crossett, O. H.Dallas
 Cope, Daisy.Dallas
 Chamberlain, Mabel M.Dallas
 Craig, John W.Dallas
 Davenport, B. W.Dallas
 Downes, James F.Dallas
 Eaton, W. B.Dallas
 Estes, W. F.Dallas
 Eaton, R. W.Dallas
 Everett, L. J.Dallas
 Ford, Gladys.Dallas
 Furche, Ernest.Dallas
 Furche, E. A.Dallas
 Ferrill, W. L.Dallas
 Fouts, T. A.Dallas
 Gurney, Ruth.Dallas
 Jordan, Bryon A.Dallas
 Hardeman, Agnes.Dallas
 Hawkes, Fannie.Dallas
 Kucera, A. E.Dallas
 Kaough, M. G.Dallas
 Lowrie, Katie.Dallas
 Langston, A. L.Dallas
 Latham, Paul.Dallas
 McFadyn, J. K.Dallas
 McClarty, J. R.Dallas
 McElroy, Howard D.Dallas
 McClung, R. A.Dallas
 Marston, Helen E.Dallas
 Miller, Lillian E.Dallas
 Moran, H. B.Dallas
 Marsh, Helen E.Dallas
 Matthews, L. R.Dallas
 Mason, O. T.Dallas
 Monroe, Eva.Dallas
 Nelson, C. C.Dallas
 Osborne, Vera.Dallas
 Quillen, Robert S.Dallas
 Riley, Katherine E.Dallas
 Ray, Worth S.Dallas
 Riley, M. M.Dallas
 Smith, C. L.Dallas
 Seay, B. P.Dallas
 Seay, Lewis M.Dallas
 Tidwell, Eugenia.Dallas
 Wilson, H. T.Dallas
 Watson, Frans N.Dallas
 Wescott, F. A.Dallas
 Peyton, Frank Louis, Jr.Dallas

Vaughn, Jno. G. Dallas
 Hagerman, J. C. Dallas
 Miller, J. F. Dallas
 Bovell, Louise. Dallas
 McGinnis, John. Dallas
 McBrayer, Herman T. Dallas
 Kosanke, W. H. Dallas
 Martin, Rosine Dallas
 Cobb, Matt L. Dallas
 Abright, J. H. Dallas
 Withrow, F. B. Dallas
 Lipscomb, James L. Dallas
 Allen, Kent D. Dallas
 Dailey, Mrs. Howard H. Dallas
 Pearson, W. F. Dallas
 Thorne, Lillian E. Dallas
 Craig, John W. Dallas
 Lennox, Samuel D. Dallas

SEVENTH DISTRICT.

Upshur County.

Barton, S. S. Glenwood
 Crain, W. L. Gilmer

Van Zandt County.

Davis, M. E. Grand Saline

Wood County.

Britton, Andrew J. Quitman
 Britton, C. H. Quitman
 Wright, Y. W. Quitman
 Burkett, D. L. Peach
 Smith, W. T. Yantis
 McCrary, E. J. Quitman

EIGHTH DISTRICT.

Rusk County.

Propes, John H. Henderson
 Buckner, John F. Henderson

Shelby County.

Harkrider, Robert E. Center
 Harrison, A. W. Joaquin
 Collier, W. L. Center
 Banks, R. Bruce. Center
 Sample, N. W. Shelbyville
 McKinzie, Arlington Shelbyville
 White, Fred A. Timpson
 Whitton, I. D. Neuville
 Gibbs, Geo. K. Teneha
 Patrick, J. P. Shelbyville
 Collins, Mrs. Emma Shelbyville

NINTH DISTRICT.

Kaufman County.

Campion, V. E. Terrell
 Gardner, Lula. Terrell
 Sharp, J. L. Terrell

Norton, Kelsey K. Terrell

Navarro County.

Bonner, Eldred D. Corsicana
 Brooks, B. F. Corsicana
 Gillespie, C. M. Corsicana
 Harris, W. W. Corsicana
 Howard, B. A. Corsicana
 Sheppard, Joseph. Kerens

TENTH DISTRICT.

Ellis County.

Spalding, C. T. Waxahachie
 Freeman, B. L. Palmer
 Mauldin, C. F. Ennis
 Middleton, R. S. Waxahachie

Johnson County.

Taylor, Miss Elizabeth Cleburne
 Robinson, Miss Electa Cleburne
 Walker, Mrs. Minnie L. Burleson

Hill County.

Beavers, Geo. F. Hillsboro
 Huffhines, Carl L. Hillsboro
 Pledger, J. P. Hillsboro
 Wynne, M. M. Hillsboro
 Whitely, J. M. Hillsboro

ELEVENTH DISTRICT.

McLennan County.

Brazier, Mrs. Ira Waco
 Cook, J. C. Waco
 Fickling, F. M. Waco
 Haynes, Lottie M. Waco
 McConnell, Mrs. Irene Waco
 Sinclair, Jno. D. Waco
 Young, Mrs. Minnie. Waco
 Lastinger, W. F. Waco
 Buckner, J. Moody
 Hughes, Tom W. Moody
 Morton, H. Moody
 Obenhaus, Mary Eugenia Moody

TWELFTH DISTRICT.

Limestone County.

McBay, H. M. Mexia

Robertson County.

McLendon, Ed. Calvert

THIRTEENTH DISTRICT.

Anderson County.

Black, B. A. Palestine

Dixon, Jim. Frankston
Dixon, J. C. Frankston

Angelina County.

Seale, W. O. Lufkin
Lively, A. G. Lufkin
Renfro, P. D. Lufkin
Garrison, Homer M. Lufkin

Houston County.

Deupree, Miss Marion Crockett
Johnson, Miss Mabel Crockett
Phillips, N. H. Crockett
McLean, Will Crockett
McCrummen, Foy. Crockett
Hinson, J. R. Weldon
Murchinson, Jack. Grapeland
Ferguson, Mrs. Ruth W. Crockett

Trinity County.

Vickers, Miss Mary E. Pennington

FOURTEENTH DISTRICT.**Jefferson County.**

Barnes, J. A. Beaumont
Bomar, L. P. Beaumont
Biglow, A. C. Port Neches
Clevenger, Hayden. Beaumont
Cunningham, H. C. Beaumont
Higgins, H. M. Beaumont
Horkan, William Beaumont
Johnson, George D. Beaumont
Kelso, E. B. Beaumont
Masterson, M. E. Beaumont
May, M. E. Beaumont
Miller, Ivy E. Beaumont
Oakley, M. W. Nederland
Rutt, C. L. Beaumont
Sheffield, F. M. Beaumont
Showers, H. E. Beaumont
Thompson, Elizabeth Beaumont
Van Ripper. Beaumont
Walker, John. Beaumont
Wilson, Miss Ida Beaumont

Orange County.

Bland, D. C. Orange
McGar, W. W. Orange
Robinson, J. L. Orange
Mozeley, L. E. Orange
Kilchrist, W. J. Lemonville

Hardin County.

Beard, Covey A. Silsbee
Clark, W. L. Sour Lake
Coe, Thomas B. Kountz
Combs, J. M. Kountz
Johnson, George W. Silsbee

Newton County.

Gray, W. E. Weirgate

Hopkins, H. C. Weirgate
Kelly, P. A. Weirgate

Sabine County.

Adams, F. P. Hemphill
Carlton, W. B. Hemphill
Dean, E. L. Brookland
Easley, C. P. Yellowpine
O'Brain, S. W. Hemphill
Rice, W. C. Hemphill
Seibert, J. L. Hemphill
Smith, W. C. Hemphill

Tyler County.

Campbell, L. R. Woodville
Fuller, B. C. Woodville
Minter, James L. Woodville

San Augustine County.

Hines, John R. San Augustine
Sanders, T. B. San Augustine

Nacogdoches County.

Harris, Jennie June Nacogdoches
Prince, Grady. Nacogdoches
Shurtleff, J. R. Nacogdoches

FIFTEENTH DISTRICT.**Walker County.**

Weatherly, J. Q. Huntsville

SIXTEENTH DISTRICT.**Harris County.**

Letts, James H. Houston
Zapp, H. G. Houston
Siegel, Julius. Houston
Seigel, Julius. Houston
Fuller, E. E. Houston
Fuller, F. O. Houston
Kerfoot, R. E. Houston
Walker, R. J. Houston
Oppel, Curt. Houston
Burney, James Roy, Jr. Houston
Henry, Katherine Houston
King, Frances. Houston
McConnell, Paul J. Houston
Davis, S. L. Houston
Miller, W. D. Houston
Grotz, F. H. Houston
Hohlhauff, W. J. Houston
Curry, N. W. Houston
Lomax, C. C. Houston
Lomax, C. A. Houston
Duerer, Robert. Houston
Lissner, P. D. Houston
Boyette, Mrs. E. Houston
Alexander, C. Alfred. Houston

Smith, Amy Frances. Houston
 Thompson, Erma. Houston
 Suess, Alex H. Houston
 Litterst, J. E. Houston
 Bryan, Marietta. Houston
 Botts, T. B. Houston
 Rasberry, L. E. Houston
 Aubertin, W. J. Houston
 Bourrett, J. J. Houston
 Lipper, Edward. Houston
 Alexander, C. Alfred. Houston
 Insirilo, L. Richard. Houston
 Slattery, J. A. Houston
 Weaver, Mildred L. Houston
 Sanders, H. W. Houston
 Burdick, Edith L. Houston
 McDade, Mrs. Edna M. Houston
 Dennison, Mrs. B. S. Houston
 Cottingham, Margaret Houston
 Mantey, Mrs. Lucille Houston
 Highams, W. H. Houston
 Moore, Agnes V. Houston
 Moore, Agnes. Houston
 Milheiser, Clarence. Houston
 Howard, R. A. Houston
 Scott, John T. Jr. Houston
 Withington, Agnes D. Houston
 Ross, A. S. Houston
 Flake, E. J. Houston
 Jones, Bonnie D. Houston
 Harper, Mrs. L. M. Houston
 Costa, S. Houston
 Nix, Isa L. Houston
 Nix, Isa B. Houston
 Albrecht, Albert, Jr. Houston
 Stallings, E. P. Houston
 Murphy, N. W., Jr. Houston
 Fahrenthold, Miss Lorena. Houston
 Cousins, R. B. Houston
 Johnson, W. Madison Houston
 Thompson, Erma Houston
 Suess, Alex. H. Houston
 Lobit, Louis. Houston
 Briscoe, J. R. Fulshear
 Windell, R. C. Rosenberg
 Peareson, Philip E. Richmond

SEVENTEENTH DISTRICT.

Chambers County.

Sherman, Paul A. Wallisville

Brazoria County.

Mulcahy, W. P. Damon
 Paxton, Doris. Angleton

Galveston County.

Armistead, M. E. Galveston
 Granger, George W. Galveston
 Herrmann, Olga. Galveston
 McCracken, George Q. . . . Galveston
 McEachern, D. N. Galveston

Olson, Arthur A. Galveston
 Rudolph, Mrs. Alice M. . . . Galveston
 Perussina, George J. Galveston
 Stevenson, Grace Galveston
 Spangler, J. N. Galveston
 Scott, J. S. Galveston
 Warren, E. Galveston

EIGHTEENTH DISTRICT.

Fayette County.

Kallus, F. J. La Grange
 Kneip, Walter La Grange
 Hilsher, E. J. La Grange

Lavaca County.

Schoenberg, William Yoakum

Austin County.

Collins, Miss Emma Bellville

TWENTIETH DISTRICT.

Travis County.

Howerton, W. V. Austin
 Tew, Frederick S. Austin
 Hays, S. E. Austin
 Jeffes, E. W. B. Austin
 Swift, Arthur P. Austin
 Lee, L. Marie Austin
 Martin, Don Austin
 Martin, Frank Austin
 Merryman, Mrs. Elma Austin
 Doole, David, Jr. Austin
 Doole, John S. Austin
 Gerhard, Wm. H. Austin

Williamson County

Rader, Louise Georgetown
 Carrodine, Ruby. Georgetown

Burnet County.

Smith, R. O. Marble Falls
 McClure, Sam. Marble Falls

TWENTY-FIRST DISTRICT.

Hays County.

Ivey, C. S. San Marcos
 Moore, James L. San Marcos

Comal County.

Laurence, L. E., Jr. . New Braunfels
 Schaefer, Gustav. Wetmore

Caldwell County.

Jolley, Earle B. Lockhart

TWENTY-SECOND DISTRICT.**Jackson County.**

Bonham, Guy E.Edna

Victoria County.

Hofmann, William F.Victoria

Wilson County

Johnson, Henrietta H....Stockdale

Aransas County.

Bahr, H. E.Rockport

Atascosa County.

Harrison, J. J.Pleasanton

DeWitt County.

Freund, Josie.....Cuero

TWENTY-THIRD DISTRICT.**Cameron County.**

Burson, M. T.Brownsville

Pemberton, R. S.Brownsville

Thompson, S. A.Harlingen

Botts, Pearl.Harlingen

Hidalgo County.

Aldrich, J. C.San Juan

Anderson, Jas. H.Mercedes

Boehme, Hilda.San Juan

Bratton, J. A.Edinburg

Carr, W. P.McAllen

Crow, O. B.Donna

Flowers, H. H.Mercedes

Gonzales, Pauline P.Edinburg

Lissner, Jennie.Donna

Madison, VinaSan Juan

Miller, J. K.Edinburg

Moffett, F. G.Edinburg

Ridgeway, H. S.Donna

Wolf, J. H.Edinburg

Green, M. A.Edinburg

Quota, J. H.Edinburg

Nueces County.

Thomas, W. H.Corpus Christi

Griffin, Miss Nannie E..Corpus Christi

Webb County.

Bell, Wiley A., Jr.Laredo

TWENTY-FOURTH DISTRICT.**Bexar County.**

Clarke, Mrs. G. B.San Antonio

McCreless, J. O.San Antonio

Muller, Miss Marguerite.San Antonio

Pleiffer, Miss Lillie.....San Antonio

Snowden, Miss Etta.....San Antonio

Basse, Miss N.San Antonio

Blair, Miss Lucile.....San Antonio

Bonham, Guy E.Edna

Burton, Charles A.San Antonio

Bible, Nellie I.San Antonio

Baumberger, Lucile....San Antonio

Caldwell, Lloyd.San Antonio

Camfield, Mrs. F. L.San Antonio

Carter, C. G.San Antonio

Collins, Charles F.San Antonio

Covington, R. K.San Antonio

Dossey, T. E.San Antonio

Gailbraith, Miss Catherine.....

.....San Antonio

Johnson, Charles T.San Antonio

Johnson, G. W.San Antonio

Keller, A. B.San Antonio

King, Thomas J.San Antonio

Maverick, Maury.....San Antonio

Mason, Gertrude E.San Antonio

Monroe, Mr. T. B.San Antonio

Pander, A. D.San Antonio

Persinger, H. L.San Antonio

Rather, A. B.San Antonio

Serna, A. I.San Antonio

Serna, Miss Mary Lee...San Antonio

Sepulveda, Miss Carrie..San Antonio

Simmons, Miss Irene A. .San Antonio

Stein, Hugo A.San Antonio

Snowden, EthelSan Antonio

Veltman, A. J.San Antonio

White, Newton H.San Antonio

Williamson, W. A.San Antonio

Womack, Miss Jessie ...San Antonio

Bandera County.

Meadows, A.Bandera

Kerr County.

Reichert, John F.Kerrville

TWENTY-FIFTH DISTRICT.**Brewster County.**

Perkins, John.Alpine

Davis, T. B.Alpine

Edwards County.

Stroman, Wm.Rock Springs

El Paso County.

Manning, F. Wayne.....El Paso

Evans, E. R.El Paso

Stoy, Adolph A.El Paso

Anderson, V. H.El Paso

Smith, Mrs. Nina M.El Paso

Chapman, A. M.El Paso

Shelley, M. W.El Paso

Lutz, W. E. El Paso
 Goldman, D. D. El Paso
 Philipps, J. N. El Paso
 Schumacher, Henry A. El Paso
 Graves, Maurice El Paso
 Wells, C. T. El Paso
 Betterton, C. L. Fabens
 Ott, Catherine. El Paso
 Williams, L. B. El Paso
 Botts, Adeline El Paso
 Shumate, J. E. El Paso
 Isaacks, C. R. El Paso
 Johnston, Alice. El Paso
 Combs, Katherine. El Paso

Kimble County.

Blackburn, Effie Roy. Junction
 Denman, H. O. Junction

Pecos County.

Richey, W. E. Fort Stockton
 Gilman, C. E. Fort Stockton
 Ely, Carlton. Fort Stockton
 Buchanan, Mrs. Josephine. Fort Stockton
 Tharp, W. P. Imperial
 Denis, W. H. Buena Vista
 Girvin, Luke. Girvin
 Girvin, Mrs. Luke Girvin

Tom Green County.

McNutt, J. Y. San Angelo
 Rowan, Miss Willie San Angelo

Reeves County.

Barlow, A. L. Balmoreha
 Hobbs, S. T. Pecos
 Harlan, Reed B. Pecos

Val Verde County.

McDowell, Bert J.
 Chilton, M. D.

Maverick County.

Hewatt, W. A.

TWENTY-SIXTH DISTRICT.

Coleman County.

Allen, Irene S. Coleman

Brown County

Bennett, Bobt. H. Bangs
 Durst, H. C. Brownwood
 Havens, Thos. R. May

Erath County.

Alford, I. B. Stephenville
 Powell, W. B. Thurber
 Utterback, B. M. Dublin
 Witcher, M. C. Dublin
 Ferguson, George O. Stephenville

Foote, Miss Lucy. Stephenville
 Young, Alden S. Stephenville

Comanche County.

Bacon, T. R. Comanche
 Brougher, Miss Lorine. De Leon
 Poteet, H. G. Comanche

TWENTY-SEVENTH DISTRICT.

Bell County.

Brown, W. C. Temple
 Butler, L. S. Belton
 Davis, Leta Mae Louise. Temple
 Lusk, Mr. O. Belton
 Martens, Miss Esther. Temple
 Dice, J. W. Belton
 Clark, E. E. Temple
 Griffin, W. E. (colored). Temple

TWENTY-EIGHTH DISTRICT.

Callahan County.

Carter, R. D. Cross Plains
 Nordyke, Chas. Baird

Eastland County.

Cunningham, T. J. Eastland
 Fath, Conerad F. Cisco
 Gowan, F. X. Leeray
 Grimes, R. S. Eastland
 Grisham, J. S. Eastland
 Grisham, R. C. Eastland
 Hardin, G. W. Rising Star
 Horn, Roy. Eastland
 Jones, E. F. Ranger
 Lewis, Annie Laurie. Eastland
 Surles, Floyd M. Cisco
 Davidson, James L. Eastland

Fisher County.

Albright, K. F. Roby
 Bond, Geo. S. McCaulley
 Formway, Roy F. Rotan
 Gwyn, Roy G. Roby
 Hyer, Susan. Roby
 Odom, J. M. Roby
 Wilson, M. T. Roby

Glasscock County.

Driver, Ira J. Garden City
 Teele, E. P. Garden City
 Walraven, S. T. Garden City

Haskell County.

Gilbert, Y. G. Haskell
 Priest, O. F. Rochester

Jones County.

Allen, Claud H. Anson

Gray, G. A. Anson
Lindsey J. F.
McCaleb, Lee
Reeves, J. Spurgeon

Lynn County.

Griffing, Carl D. Tahoka

Howard County.

Cunningham, G. B. Big Springs
Cunningham, C. B. Big Springs
Grace, H. L. Big Springs
Hatch, Nell. Big Springs

Mitchell County.

Garrett, W. H. Colorado
Porter, W. W. Colorado

Nolan County.

Milliken, T. G. Roscoe

Palo Pinto County.

Bouldin, T. T. Mineral Wells
Miller, Mary. Mineral Wells
Smith, W. P. Mineral Wells

Stephens County.

Allred, O. H. Breckenridge
Alexander, A. A. Breckenridge
Barrow, E. R. Breckenridge
Bowden, Mary M. Breckenridge
Bowman, Dorothy. Breckenridge
Clark, Henry B. Breckenridge
Dawson, T. J. Breckenridge
Harley, James A. Breckenridge
Hughes, Wm. B. Breckenridge
Hughes, Wm. R. Breckenridge
Jackson, Barney. Breckenridge
McBride, H. Clay. Burkburnett
O'Donnell, Anna M. Breckenridge
Pearson, Roy. Necessity
Skeen, Ione. Breckenridge
Veith, Josephine. Breckenridge
Houston, Herman Breckenridge

Taylor County.

Perfect, O. S. Abilene
Smith, C. P. Abilene

Terry County

Hix, J. P. Meadow

TWENTY-NINTH DISTRICT.

Armstrong County.

Cayton, E. C. Claude

Carson County.

White, Miss E. Mabelle.

Clay County.

Cain, Mrs. S. W. Shannon
Deane, Eugene J. Petrolia
Glasgow, W. J. Henrietta
Harbour, Miss Ollie. Byers
Williams, J. P. Petrolia

Collinsworth County.

Buerger, Otto. Wellington
Couch, O. L. Wellington
O'Neill, Lee C. Wellington
Wood, Miss Josephine. Wellington

Dallam County.

Egbert, Miss Corrin Dalhart
Farris, Miss Louise. Dalhart
Hancock, F. A. Dalhart
Hopkins, Miss Mary Dalhart
Lovell, Kenneth W. Dalhart

Donley County.

Alexander, J. J. Clarendon
Smallwood, Miss Sybil. Clarendon
Thompson, Curtis E.

Floyd County.

Guthrie, E. Lockney
Meriwether, A. R. Lockney

Hale County.

Bailey, Roy. Plainview
Davis, W. J. Plainview
Lagow, Miss N. Elpha. Plainview
Martin, A. S. J. Plainview
Sargent, Miss Alma G. Plainview

Hall County.

Gilmore, W. C. Turkey
Hamilton, Sam J. Memphis
Norwood, T. B. Memphis
Sharp, John. Turkey

Haskell County.

Priest, O. F.
Rochester, P. O.

Hemphill County.

Shaller, C. C. Canadian
Fisher, W. D. Canadian

Lamb County.

Hoover, Fred.

Lubbock County.

Hawkins, Wallace. Lubbock
Pieratt, Emzy.
Starnes, Roy W. Lubbock
Turner, Jno. F. Lubbock
Wiese, Fred.
Wilkes, Mrs. L. M. Lubbock

Wilson, R. J. Lubbock

Parmer County.

Crane, A. B. Farwell

Roberts County.

Barnes, W. H. Miami

Swisher County.

Thompson, Miss Avis. Tulia

Potter County.

Reid, Velma. Amarillo

Throckmorton County.

Worley, M. M.

Wichita County.

Anderson, Miss Gertrude

Beall, W. E. Burkburnett

Begley, J. B. Electra

Carter, Jas. R. Burkburnett

Carter, Jasper A.

Carter, M. E. Wichita Falls

Clayton, E. E. Wichita Falls

Dotson, S. J.

Fell, Benn. Wichita Falls

Flack, Mrs. Ruby B.

Frank, G. Wichita Falls

Grady, H. L. Burkburnett

Grant, O. B. Electra

Haney, Edgar P. Wichita Falls

Hill, T. Y. Burkburnett

Howell, Catherine. Burkburnett

Humphrey, John Q. Wichita Falls

Jamison, S. M.

Jordan, E. C.

Kerr, Miss M. R.

Lowery, Clyde H. Wichita Falls

Morris, V. F. Wichita Falls

Moss, H. S. Wichita Falls

Murray, C. G.

Owens, Mrs. Emma. Electra

Pribble, A. H.

Pribble, A. R. Burkburnett

Reid, F. S. Wichita Falls

Robbins, W. L. Wichita Falls

Rubbotom, R. R.

Russell, Miss Lima. Wichita Falls

Shine, Miss Irene E.

Skeen, Miss Ione. Wichita Falls

Stover, O. I.

Thompson, Miss Dorothy.

Vaughn, Miss Ileene.

Weaver, Hugh F. Wichita Falls

Williams, Mrs. Louise S. Electra

Wyatt, H. Burkburnett

Stacy, Harwood. Wichita Falls

Laken, E. A. Wichita Falls

Haney, Edgar S. Wichita Falls

Wilbarger County.

Culbertson, Marvin C. Vernon

Judd, Ardon B.

Sutliff, Miss Haraldine. Vernon

Briscoe County.

Stark, Orin. Quitaque

THIRTIETH DISTRICT.

Tarrant County.

Day, B. S. Fort Worth

Hagler, J. D. Fort Worth

Hagler, T. B. Fort Worth

Holder, Lucy. Fort Worth

Leahy, David J. Fort Worth

Marks, H. M. Fort Worth

McGowan, Joe J. Fort Worth

Sheppard, W. P. Fort Worth

Salyer, Miss Edith. Fort Worth

Tarkenton, Ethel. Fort Worth

Thompson, W. C. Fort Worth

Williams, Miss Lillie. Fort Worth

Adams, Fred H. Fort Worth

Baker, T. O. Fort Worth

Burns, W. Frank. Fort Worth

Braly, Burney. Fort Worth

Barber, H. L. Fort Worth

Carlock, R. L. Fort Worth

Curtis, Miss Mary Lou. Fort Worth

Deming, Mrs. Nellie H. Fort Worth

D'Arcy, James A. Fort Worth

Eversberg, Max. Fort Worth

Fair, Henry T. Fort Worth

Greathouse, Joseph F. Fort Worth

Groce, Charles T. Fort Worth

Gumm, C. C. Fort Worth

Harrison, E. S. Fort Worth

Harrison, J. W. Grapevine

Hawkins, Miss La Rue. Fort Worth

Ingram, B. L. Fort Worth

Irby, Ben. Fort Worth

Johnson, Gillis A. Fort Worth

Johnson, H. E. Fort Worth

Jones, Owen M. Fort Worth

Leatherwood, Miss Mary R.

..... Fort Worth

Lewis, Miss Margaret. Fort Worth

Lewis, Miss Annie Laurie. Fort Worth

May, Ernest. Fort Worth

McClaskey, B. E. Fort Worth

McCormack, J. P. Fort Worth

Nelson, George A. Fort Worth

Paylor, Miss Nara Marie. Fort Worth

Randle, Lena. Fort Worth

Randle, Bonnie Belle. Fort Worth

Rogers, Ruth. Fort Worth

Redmond, W. H. Fort Worth

Shropshire, Mrs. F. Fort Worth

Sample, Miss Katherine. Fort Worth

Simmons, H. B. Arlington

Stevenson, Roger E. Fort Worth

Taylor, Thos. D. Fort Worth

Tobin, C. D. Fort Worth
 Thomas, Olive. Fort Worth
 Warren, Fayler. Fort Worth
 Wallace, H. D. Arlington
 Witcher, W. C. Fort Worth
 Wynn, Miss Esther. Fort Worth
 Young, F. M. Fort Worth

Parker County.

Blackman, W. G. Springtown

THIRTY-FIRST DISTRICT

Denton County.

Boyd, Wm. P. Denton
 McDonald, P. E. Denton
 Ground, Miss Mattie. Denton

Wise County.

Cates, J. H. Decatur
 Cates, Bob. Decatur
 Cates, Miss Lessie. Decatur
 Cates, Miss Opal. Decatur
 Green, W. A. Paradise

Montague County.

Minor, M. W. Sunset

In the Senate.

Lieutenant Governor Johnson in
 the Chair.

Bill Introduced.

Unanimous consent was granted to
 send up the following bill:

By Senator Clark:

S. B. No. 24, A bill to be entitled
 "An Act to amend Section 2 of Chap-
 ter 138, Special Laws of the Thirty-
 third Legislature, enacted at its reg-
 ular session, creating the Eagle Lake
 Independent School District; the said
 amendment providing for revising
 the metes and bounds of said district,
 and providing for the extension of
 said district, and the annexation of
 adjacent territory thereto, and de-
 claring an emergency."

Read first time and referred to
 Committee on Educational Affairs.

Senate Bill No. 24.

Unanimous consent was granted to
 take up out of its order,

S. B. No. 24, A bill to be entitled

"An Act to amend Section 2 of Chap-
 ter 138, Special Laws of the Thirty-
 third Legislature, enacted at its reg-
 ular session, creating the Eagle Lake
 Independent School District; the said
 amendment providing for revising the
 metes and bounds of said district, and
 providing for the extension of said
 district, and the annexation of ad-
 jacent territory thereto, and declar-
 ing an emergency."

On motion of Senator Clark, the
 constitutional rule requiring bills to
 be read on three several days was
 suspended and Senate Bill No. 24
 was put on its second reading by the
 following vote:

Yeas—22.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	McNealus.
Clark.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.

Absent.

Bledsoe.	Parr.
Buchanan of Bell.	Strickland.
Cousins.	Woods.
Page.	

Absent—Excused.

Davidson.	Hall.
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The bill was read second time.

The Senate rule requiring com-
 mittee reports to lie on the table one
 day was suspended.

The committee report that the bill
 be not printed was adopted.

The bill was passed to engross-
 ment.

On motion of Senator Clark, the
 constitutional rule requiring bills to
 be read on three several days was
 suspended and Senate Bill No. 24
 was put on its third reading and final
 passage by the following vote:

Yeas—22.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Clark.	McNealus.
Cousins.	Rector.

Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.

Absent.

Bledsoe.	Parr.
Buchanan of Bell.	Strickland.
Carlock.	Woods.
Page.	

Absent—Excused.

Davidson.	Hall.
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The bill was read third time and finally passed by the following vote:

Yeas—22.

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Clark.	McNealus.
Cousins.	Parr.
Dayton.	Rector.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	

Absent.

Bledsoe.	Smith.
Buchanan of Bell.	Strickland.
Carlock.	Woods.
Page.	

Absent—Excused.

Davidson.

Bill Signed.

After its caption was read the Chair signed, in the presence of the Senate, Senate Bill No. 20.

Senate Concurrent Resolution No. 7.

Unanimous consent was granted Senator Caldwell to send up

S. C. R. No. 7, Providing for sine die adjournment Saturday, October 2, 1920, at 6 o'clock p. m.

The resolution was read.

Senator Dorough moved to lay the resolution on the table subject to call.

Senator Cousins moved to table the motion.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, Oct. 1, 1920.

Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 33, A bill to be entitled "An Act to amend Section 3, Chapter 60 of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas, as amended in Chapter 44, House Bill No. 107, Acts of the Regular Session of the Thirty-sixth Legislature, so as to make more definite and certain the power of the commissioners court to carry out the existing laws for the eradication of fever carrying ticks, providing facilities, material and labor; providing funds for same, and declaring an emergency."

H. B. No. 22, A bill to be entitled "An Act making certain emergency appropriations out of the general revenues for the support of the State government for the fiscal year ending August 31, 1921, and making appropriations to pay certain miscellaneous claims against the State, and making appropriations for authorized deficiencies incurred in the support of the State government for the fiscal year ending August 31, 1920, and by changing certain language in House Bill No. 4 passed at the Second Called Session of the Thirty-sixth Legislature, on page 279 of said Acts, in relation to item for Juvenile Training School, and declaring an emergency."

H. B. No. 35, Providing for appointment of an Industrial Commission.

Respectfully submitted,

O. P. BASFORD,
Acting Chief Clerk, House of Representatives.

House Bills Referred.

After their captions were read the Chair had referred.

H. B. No. 22, to Committee on Finance.

H. B. No. 33, to Committee on Stock and Stock Raising.

H. B. No. 35, to Committee on Internal Improvements.

Senate Concurrent Resolution No. 7.

The yeas and nays were demanded on the motion of Senator Cousins to table.

The roll call developed no quorum, the following Senators voting:

Yeas—10.

Caldwell.	Dudley.
Clark.	Faust.
Cousins.	Floyd.
Dayton.	Gibson.
Dean.	Rector.

Nays—9.

Alderdice.	Suiter.
Buchanan of Scurry.	Westbrook.
Dorough.	Williford.
Hopkins.	Witt.
McNealus.	

Absent.

Bailey.	Page.
Bledsoe.	Parr.
Buchanan of Bell.	Smith.
Carlock.	Strickland.
Hertzberg.	Woods.

Absent—Excused.

Davidson.	Hall.
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Recess.

Pending arrival of a quorum, the Senate at 5:05 o'clock, on the motion of Senator Clark, recessed until tomorrow morning at 10 o'clock.

Saturday Morning.

The Senate was called to order by Lieutenant Governor Johnson at 10 o'clock a. m. pursuant to recess.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives
Austin, Texas, Oct 2, 1920.

Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 27, A bill to be entitled

"An Act to diminish the civil and criminal jurisdiction of the county court of Shelby County, Texas; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

H. B. No. 28, A bill to be entitled "An Act creating the Cove Independent School District in Orange County, Texas, defining the boundaries; providing for a board of trustees for said school district, and prescribing their qualifications and term of office; naming the trustees who are to serve until their successors shall have been elected at the next general election for school trustees; defining the rights, powers and duties of the trustees of said district, and declaring an emergency."

H. B. No. 29, A bill to be entitled "An Act creating a Prairie Hill Independent School District in Limestone County, Texas, defining its boundaries, including the present Prairie Hill Independent School District; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon the Independent School District, and the board of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms, and declaring an emergency."

H. B. No. 26, A bill to be entitled "An Act to amend Section 2 of Chapter 138, Special Laws of the Thirty-third Legislature, enacted at its Regular Session, creating the Eagle Lake Independent School District; the said amendment providing for revising the metes and bounds of said district, and the annexation of adjacent territory thereto, and declaring an emergency."

H. B. No. 23, A bill to be entitled "An Act relating to the protection of wild fowl of the counties of Dimmit, Uvalde, Medina, Zavalla, Gillespie, Blanco, Llano, Kendall, Kimble, Kerr, Real, Mason, Edwards, Menard, Sutton, Crockett and Bandera, and changing the time of open season on such wild fowls and birds, and providing penalties for the unlawful taking and killing of said wild birds and fowls and exempting said counties above mentioned from Section 5

of Chapter 157, General Laws, Thirty-sixth Legislature, passed at its Regular Session, same being House Bill No. 457, Chapter 157 thereof, and declaring an emergency."

S. B. No. 14, A bill to be entitled "An Act to amend Chapter 63, of the Special Laws of the Thirty-sixth Legislature passed at the Second Called Session, the same being a special road law for Dallas County, Texas, etc."

S. B. No. 15, A bill to be entitled "An Act repealing Chapter 32, General and Special Laws, enacted by First Called Session of Thirty-fifth Legislature, being an Act granting to Fannin County a more efficient road law, etc."

S. B. No. 13, A bill to be entitled "An Act creating the Laneville Independent School District of Rusk County; defining its boundaries; vesting it with the rights, powers, duties, and privileges of districts incorporated for school purposes only under the General Laws; providing for a board of trustees therefor; and declaring an emergency."

S. B. No. 10, A bill to be entitled "An Act to amend S. B. No. 92, passed at the Third Called Session of the Thirty-sixth Legislature, entitled, 'An Act to establish a system of public roads and bridges for Tarrant County, and to empower the Commissioners' Court thereof to provide rules and regulations therefor and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes; to constitute each commissioner ex-officio commissioner of the public roads and bridges of the precinct and to prescribe the powers and duties of the county commissioners; to authorize and regulate the issuance and sale of the bonds under this Act, and to provide the form of indebtedness and for the levy of taxes for such purposes; and to allow the issuance of bonds for the purpose of refunding any bonded or other indebtedness heretofore or hereafter incurred by said county; to regulate the expenditure of moneys arising from the sale of such bonds and from the levy of taxes for roads and bridge purposes; to designate and define certain cardinal roads in the county; to provide for the selection of a

county engineer and for the employment of a consulting engineer and to empower the Commissioners Court to make such contracts with respect to the construction, maintenance or repair of roads and bridges that may be necessary and to employ the convicts on said roads and to provide for the compensation of the commissioners for the performance of their duties under the terms of this Act and to prescribe penalties for the violation of this Act and repealing all laws in conflict with the provisions hereof, and declaring an emergency'."

By adding Section 27-a thereto so as to enable the county to advance moneys, under proper safeguards and security on the purchase of materials for the construction of roads and the maintenance and repair thereof, and to enter into contracts for such purposes, and to lease, where necessary, railway cars for the delivery of such road building material to the place or places where same is to be used, and repealing all laws in conflict therewith, and declaring an emergency.

H. B. No. 36, An Act to levy an occupation tax on emigrant agents.

H. B. No. 37, An Act to regulate the business of emigrant agents.

Respectfully submitted,

O. P. BASFORD,

Acting Chief Clerk, House of Representatives.

Conference Committee Report on Senate Bill No. 1.

Senator Dean sent up the Free Conference Committee report on Senate Bill No. 1.

See Appendix.

On the motion of Senator Dean the report was laid on the table subject to call.

House Bill No. 35.

Unanimous consent was granted to take up out of its order

H. B. No. 35, A bill to be entitled "An Act providing for appointment by Governor of an industrial commission, composed of five members, to hear and make reports on controversies between employers and employes; defining its powers and authority; providing that said findings

and recommendations by the commission shall be made to the Governor and furnished to the public and filed with the Legislature of Texas, providing payment of expenses, and providing an emergency."

On motion of Senator McNealus, the Constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 35 was put on its second reading by the following vote:

Yeas—21.

Alderdice.	Buchanan of Scurry.
Buchanan of Bell.	Caldwell.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Rector.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Floyd.	Witt.
Hertzberg.	Woods.
Hopkins.	

Absent.

Bailey.	Gibson.
Bledsoe.	Parr.
Clark.	Smith.
Faust.	

Absent—Excused.

Davidson.	Hall.
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The bill was read second time.

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report that the bill be not printed was adopted.

Senator Caldwell moved to recommit the bill.

The motion was lost.

The bill was passed to its third reading.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 35 was put on its third reading and final passage by the following vote:

Yeas—20.

Alderdice.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Rector.
Dayton.	Suiter.
Dean.	Westbrook.
Dudley.	Witt.
Floyd.	Woods.
Gibson.	

Nays—2.

Caldwell.	Williford.
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Absent.

Bailey.	Faust.
Bledsoe.	Parr.
Clark.	Smith.
Dorough.	

Absent—Excused.

Davidson.	Hall.
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The bill was read third time and finally passed.

House Bills Referred.

After their captions were read the Chair referred:

H. B. No. 26, to the Committee on Educational Affairs.

H. B. No. 27, to the Committee on Judicial Districts.

H. B. No. 23, to the Committee on Criminal Jurisprudence.

H. B. No. 20, to the Committee on Educational Affairs.

H. B. No. 29, to the Committee on Educational Affairs.

H. B. No. 36, to the Committee on Criminal Jurisprudence.

H. B. No. 37, to the Committee on Criminal Jurisprudence.

House Bill No. 33.

Unanimous consent was granted to take up out of its order:

H. B. No. 33, A bill to be entitled "An Act to amend Section 3, Chapter 60 of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas as amended in Chapter 44, House Bill No. 107, Acts of the Regular Session of the Thirty-sixth Legislature, so as to make more definite and certain the power of the commissioners court to carry out the existing laws for the eradication of fever carrying ticks, providing facilities, material and labor; providing funds for same, and declaring an emergency."

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 33 was put on its second reading by the following vote:

Yeas—23.

Alderdice.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Bailey.	Faust.
Bledsoe.	Parr.
Clark.	

Absent—Excused.

Davidson.	Hall.
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The bill was read second time.

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report that the bill be not printed was adopted.

The bill was passed to third reading.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 33 was put on its third reading and final passage by the following vote:

Yeas—19.

Alderdice.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Page.
Cousins.	Rector.
Dayton.	Williford.
Dean.	Witt.
Dorough.	Woods.
Dudley.	

Nays—7.

Suiter.	
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Absent.

Bailey.	McNealus.
Bledsoe.	Parr.
Clark.	Smith.
Faust.	Westbrook.

Absent—Excused.

Davidson.	Hall.
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The bill was read third time and finally passed.

House Bill No. 22.

Unanimous consent was granted to take up out of its order:

H. B. No. 22, A bill to be entitled "An Act making certain emergency appropriations out of the general revenues for the support of the State government for the fiscal year ending August 31, 1921, and making appropriations to pay certain miscellaneous claims against the State, and making appropriations for authorized deficiencies incurred in the support of the State government for the fiscal year ending August 31, 1920, and by changing certain language in House Bill No. 4, passed at the Second Called Session of the Thirty-sixth Legislature, on page 279 of said Acts, in relation to item for Juvenile Training School, and declaring an emergency."

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 22 was put on its second reading by the following vote:

Yeas—21.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Page.
Carlock.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Floyd.	

Absent.

Bailey.	McNealus.
Bledsoe.	Parr.
Clark.	Westbrook.
Faust.	

Absent—Excused.

Davidson.	Hall.
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The bill was read second time.

The Senate rule was suspended by unanimous vote.

The committee report was adopted. Senator Dayton sent up the following amendment:

Amend House Bill No. 22, by adding to Section 1 the following:

The sum of ten thousand (\$10,000) dollars, or so much thereof as may be necessary, is hereby appropriated out of General Revenue of the State not otherwise appropriated to pay the expenses and per diem of a Commission of two, one to be the Governor of the Federal Reserve Bank of the Eleventh District, and the other to be nominated by the Commissioner of Agriculture of Texas and appointed by the Governor of Texas for the purpose of assisting in marketing the cotton crop of Texas. Said Commission to be invested with the power to visit local and foreign markets and do any and all things necessary in the assistance of marketing said crop. Said Commission to be allowed ten (\$10.00) dollars per day and actual expenses, same to be paid by the Treasurer of Texas on warrant drawn by the Comptroller, and certified vouchers to accompany statement of per diem and expense of said Commissioners to the Comptroller.

The amendment was read and adopted.

The bill was passed to its third reading.

On motion of Senator Dayton, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 22 was put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Page.
Carlock.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Floyd.	

Absent.

Bailey.	McNealus.
Bledsoe.	Parr.
Clark.	Westbrook.
Faust.	

Absent—Excused.

Davidson.	Hall.
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The bill was read third time and finally passed.

Bills Signed.

After their captions were read the Chair signed, in the presence of the Senate, H. C. R. No. 5 and H. C. R. No. 4.

Resignation of Senator Strickland.

The Chair laid before the Senate the following communication:

The State of Texas,

Department of State,

I, Edwin Spencer, Chief Clerk and Acting Secretary of State, do hereby certify, That the resignation of Hon. J. J. Strickland, State Senator from the Thirteenth Senatorial District, was accepted by Governor W. P. Hobby, and filed in this Department on October the second, 1920.

In testimony whereof, I have hereunto signed my name officially, and caused the Seal of State to be hereon impressed, at the City of Austin, Texas, this the second day of October, A. D. 1920.

EDWIN SPENCER.

Chief Clerk and Acting Secretary of State.
(Seal)

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, October 2, 1920.

Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee Report on S. B. No. 1. Yeas 96, Nays 13.

Respectfully submitted,

O. P. BASFORD,

Acting Chief Clerk,

House of Representatives.

Senate Bill No. 1.

Senator Dean called up from the table the conference report on S. B. No. 1.

(See Appendix).

The conference report was adopted by the following vote:

Yeas—18.

Alderdice.	Gibson.
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Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Page.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Williford.
Dorough.	Witt.
Floyd.	Woods.

Nays—3.

Caldwell.	Rector.
Dudley.	

Absent.

Bailey.	McNealus.
Bledsoe.	Parr.
Clark.	Westbrook.
Faust.	

Absent—Excused.

Davidson.	Hall.
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On the motion of Senator Dayton, the vote by which the Conference Report was adopted was reconsidered and the report was laid on the table subject to call.

Conference Report on House Bill No. 6.

Senator Page sent up the Conference Report on House Bill No. 6.
(See Appendix).
The report was read.

Conference Report on Senate Bill No. 1.

On the motion of Senator Dayton the Free Conference Report on S. B. No. 1 was adopted by the following vote:

Yeas—21.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Page.
Clark.	Smith.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Faust.	Woods.
Floyd.	

Nays—3.

Caldwell.	Rector.
Dudley.	

Absent.

Bailey.	McNealus.
Bledsoe.	Parr.

Absent—Excused.

Davidson.	Hall.
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(Senator Rector's reasons for voting "Nay.")

The 19th Amendment does not and could not in any manner affect or interfere with the Poll Tax Laws of Texas.

The Poll Tax law which was enacted in 1882, and has never been changed, exempts certain classes of men and all women from paying a poll tax. This law has been in force for 38 years, and has been held constitutional and not in violation of the constitutional requirement that all taxes shall be equal and uniform. Woman's status as a taxpayer is identical with that of man. No distinction is made or allowed in levying taxes between the property of women and the property of men.

The passage of the 19th Amendment to the Federal Constitution did not and could not have any effect upon her status as a taxpayer; nor could it possibly render her liable to the payment of a tax which had never been levied or assessed against her.

The Bill of Rights to our Texas Constitution provides that no citizen shall be in any manner disfranchised except by due course of law.

It is an undisputed legal proposition that no restriction can be placed upon the right to vote, except by constitutional provision.

The only constitutional restriction on the voter, male or female, is that those who are subject to a poll tax and who have failed to pay the same on or before February 1st of the election year cannot vote.

No additional restriction made by the legislature can have any legality or binding force.

No change in the Poll Tax Law can have any application to this year, as it would be retroactive.

I oppose the Bill for these reasons.

E. L. RECTOR.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, October 2, 1920.
Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House
to inform the Senate that the House
has adopted the Free Conference Re-
port on H. B. No. 6. Yeas 87, Nays 20.

Respectfully submitted,

O. P. BASFORD,
Acting Chief Clerk,
House of Representatives.

Hall of the House of Representatives,
Austin, Texas, October 2, 1920.
Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to
inform the Senate that the House has
adopted S. C. R. No. 5 in re the Inter-
state Inter-race Conference to be held
at Texarkana.

Respectfully submitted,

O. P. BASFORD,
Acting Chief Clerk,
House of Representatives.

Recess.

The Senate at 12:35 p. m. on the
motion of Senator Woods recessed until
1 o'clock this afternoon.

Joint Session.

The Senate met at 1 o'clock p. m.
pursuant to recess in Joint Session
with the House to hear the address
of Judge W. F. Ramsey.

Judge W. F. Ramsey's Address.

The Speaker of the House introduced
Judge W. F. Ramsey, who addressed
the Joint Session on the cotton situa-
tion in Texas.

Returned to the Senate.

At the close of Judge Ramsey's ad-
dress the Senate in a body repaired to
the Senate Chamber.

In the Senate.

Lieutenant-Governor Johnson in the
Chair.

Message from the House.

A messenger from the House pre-
sented himself at the bar of the Senate
with the following message:

Hall of the House of Representatives,
Austin, Texas, October 2, 1920.

Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House
to inform the Senate that the House
refused to concur in Senate Amend-
ments to H. B. No. 22, and requests
a Free Conference Committee. The
following have been appointed on the
part of the House: McMillin, Terrell,
Stephens, Beasley, Barrett of Bell.

Respectfully submitted,

O. P. BASFORD,
Acting Chief Clerk,
House of Representatives.

House Bill No. 6.

On the motion of Senator Clark,
the previous question was ordered on
House Bill No. 6.

The bill was ordered engrossed by
the following vote:

Yeas—16.

Alderdice.	Dorough.
Buchanan of Bell.	Faust.
Buchanan of Scurry.	Floyd.
Caldwell.	Gibson.
Carlock.	Hopkins.
Clark.	Page.
Dayton.	Suiter.
Dean.	Williford.

Nays—7.

Cousins.	Rector.
Dudley.	Westbrook.
Hertzberg.	Witt.
McNealus.	

Absent.

Bledsoe.	Smith.
Parr.	

Absent—Excused.

Davidson.	Hall.
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(Pair Recorded)

Senator Woods (present), who
would vote "nay"; Senator Bailey
(absent), who would vote "yea."

(Senator Witt's Reasons for Voting
on House Bill No. 6.)

The bill can not become imme-

diately effective because it is evident it will not get a sufficient vote in the House or Senate to carry the emergency clause. Therefore the regular session will arrive by the time this law could be effective, and such regular session can then pass a measure carrying provisions protecting workers against the violence or threatened violence of strikers, and I hope eliminating what I consider the unjust provisions of this bill.

WITT.

(Senator Dayton's Reason for Voting.)

I vote yea because it appears to be impossible to get anything else. I am opposed to original Williams bill, but the amendments adopted seem to help it some.

I was favorable to Hobby Port Bill, but I am opposed to many features of this bill, as I consider it too drastic on labor unions.

DAYTON.

Bills Signed.

After their captions were read the Chair signed in the presence of the Senate Senate Bill No. 15, Senate Bill No. 14, Senate Bill No. 13, and Senate Bill No. 10.

Conference Committee on Senate Bill No. 22.

Senator Dudley sent up the following motion:

I move that the Senate grant the request of the House for a Conference on House Bill No. 22, and the following be elected on the part of the Senate.

WESTBROOK,
DEAN,
DAYTON,
CALDWELL,
HERTZBERG.

The motion was read and adopted.

House Bill No. 36.

Senator Clark moved to suspend the regular order of business and take up House Bill No. 36.

The regular order was suspended by the following vote:

Yeas—19.

Alderdice.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Carlock.	Hopkins.
Clark.	Page.
Dayton.	Suiter.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Nays—1.

Caldwell.

Present—Not Voting.

Cousins.

Absent.

Bailey.	Rector.
Bledsoe.	Smith.
McNealus.	Westbrook.
Parr.	

Absent—Excused.

Davidson.	Hall.
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The Chair laid before the Senate

H. B. No. 36, A bill to be entitled "An Act to levy an annual occupation tax upon emigrant agents engaged in or pursuing said business in the State of Texas; prescribing a penalty for failure to pay said tax before engaging in or pursuing such business, and declaring an emergency."

On motion of Senator Clark, the Constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 6 was put on its second reading by the following vote:

Yeas—24.

Alderdice.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Absent.

Bailey.	Parr.
Bledsoe.	Rector.

Absent—Excused.

Davidson. Hall.

The bill was read second time.

The Senate rule was suspended by unanimous consent.

The committee report was adopted.

The bill was passed to third reading.

On motion of Senator Clark, the Constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 36 was put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Carlock.	Hopkins.
Clark.	Page.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Nays—1.

Caldwell.

Absent.

Bailey.	Parr.
Bledsoe.	Rector.
McNealus.	

Absent—Excused.

Davidson. Hall.

The bill was read third time and finally passed.

House Bill No. 29.

Unanimous consent was granted to take up

H. B. No. 29, A bill to be entitled An Act creating a Prairie Hill Independent School District in Limestone County, Texas, defining its boundaries including the present Prairie Hill Independent School District; providing for a board of trustees in said district, conferring upon said district and its board of trustees the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon the Independent School District and the

board of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms, and declaring an emergency.

On motion of Senator Williford, the Constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 29 was put on its second reading by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey.	Parr.
Bledsoe.	

Absent—Excused.

Davidson. Hall.

The bill was read second time.

The Senate rule was suspended by unanimous consent.

The committee report was adopted.

The bill was passed to third reading.

On motion of Senator Clark, the Constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 29 was put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey. Parr.
Bledsoe.

Absent—Excused.

Davidson. Hall.

The bill was read third time and finally passed by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey. Parr.
Bledsoe.

Absent—Excused.

Davidson. Hall.

Senate Concurrent Resolution No. 3.

Senator Dayton called up from the table Senate Concurrent Resolution No. 3, providing for sine die adjournment Saturday night at 10 o'clock p. m.

The resolution was read and adopted.

House Bill No. 37.

Unanimous consent was granted to take up

H. B. No. 37, A bill to be entitled An Act to regulate the business of emigrant agents; defining emigrant agents; providing for licensing any person, firm or private employment agency desiring to be licensed as an emigrant agent, and prescribing the method of obtaining such license, and the requirements thereof, and defining who may be licensed; prescribing certain duties relative to the act and its administration for the Commis-

sioner of Labor Statistics and the Attorney General, and conferring certain authority relative to the administration of this act upon said Commissioner; fixing the fees which may be charged by parties licensed hereunder, and fixing the licensed fees to be paid by those licensed hereunder, and creating and defining offenses for the violation of this Act, and prescribing the punishment therefor; providing that municipal employment bureaus and employment agencies operated purely for charitable purposes shall be exempt from the provisions of this Act; prescribing bonds to be filed by emigrant agents and providing for suits thereon, and for services of proceeds in such suits; providing that all fees collected hereunder shall be paid directly into the State treasury; declaring that all appropriations made for the department of the Commissioner of Labor Statistics may be used in the enforcement and administration of this Act, and declaring an emergency.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 37 put on its second reading by the following vote:

Yeas—24.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Nays—1.

Caldwell.

Absent.

Bailey. Parr.
Bledsoe.

Absent—Excused.

Davidson. Hall.

The bill was read second time.

The Senate rule was suspended by unanimous consent.

The committee report was adopted.

The bill passed to third reading.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 37 was put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Carlock.
Buchanan of Bell.	Clark.
Buchanan of Scurry.	Cousins.
Dayton.	McNealus.
Dean.	Page.
Dorough.	Rector.
Dudley.	Smith.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Williford.
Hertzberg.	Witt.
Hopkins.	Woods.

Nays—1.

Caldwell.

Absent.

Bailey.	Parr.
Bledsoe.	

Absent—Excused.

Davidson.	Hall.
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The bill was read third time and finally passed.

House Bill No. 27.

Unanimous consent was granted to take up

H. B. No. 27, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Shelby County, Texas; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

On motion of Senator Dorrough, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 27 was put on its second reading by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.

Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey.	Parr.
Bledsoe.	

Absent—Excused.

Davidson.	Hall.
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The bill was read second time.

The Senate rule was suspended by unanimous consent.

The committee report was adopted.

The bill passed to engrossment.

On motion of Senator Dorrough, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 27 was put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey.	Parr.
Bledsoe.	

Absent—Excused.

Davidson.	Hall.
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The bill was read third time and finally passed by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey. Parr.
Bledsoe.

Absent—Excused.

Davidson. Hall.

Bills Signed.

After their captions were read the Chair signed, in the presence of the Senate, H. B. 35, 33, S. C. R. No. 5.

House Bill No. 23.

Unanimous consent was granted to take up H. B. No. 23.

By Mr. Morris, Mr. Johnson and Mr. Blackburn:

H. B. No. 23, A bill to be entitled "An Act relating to the protection of wild fowl of the counties of Dimmit, Uvalde, Medina, Zavalla, Gillespie, Blanco, Llano, Kendall, Kimble, Kerr, Real, Mason, Edwards, Menard, Sutton, Crockett and Bandera, and changing the time of open season on such wild fowls and birds, and providing penalties for the unlawful taking and killing of said wild birds and fowls and exempting said counties above mentioned from Section 5 of Chapter 157, General Laws, Thirty-sixth Legislature, passed at its Regular Session, same being House Bill No. 457, Chapter 157 thereof, and declaring an emergency."

On motion of Senator Hopkins, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 23 was put on its second reading by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey. Parr.
Bledsoe.

Absent—Excused.

Davidson. Hall.

The bill was read second time.

The Senate rule was suspended by unanimous vote.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hopkins, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 23 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey. Parr.
Bledsoe.

Absent—Excused.

Davidson. Hall.

The bill was read third time and finally passed by the following vote:

Yeas—24.

Alderdice.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Absent.

Bailey. McNealus.
Bledsoe.

Absent—Excused.

Davidson. Parr.
Hall.**House Bill No. 28.**

Unanimous consent was granted to take up H. B. No. 28.

By Mr. Merriman:

H. B. No. 28, A bill to be entitled "An Act creating the Cove Independent School District in Orange County, Texas, defining the boundaries; providing for a board of trustees for said school district, and prescribing their qualifications and term of office; naming the trustees who are to serve until their successors shall have been elected at the next general election for school trustees; defining the rights, powers and duties of the trustees of said district, and declaring an emergency."

On motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 28 was put on its second reading by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey. Parr.
Bledsoe.

Absent—Excused.

Davidson. Hall.

The bill was read second time.

The Senate rule was suspended by unanimous vote.

The committee report was adopted.

The bill was passed to third reading.

On motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 28 was put on

its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Dorough.
Buchanan of Bell.	Dudley.
Buchanan of Scurry.	Faust.
Caldwell.	Floyd.
Carlock.	Gibson.
Clark.	Hertzberg.
Cousins.	Hopkins.
Dayton.	McNealus.
Dean.	Page.
Rector.	Williford.
Smith.	Witt.
Suiter.	Woods.
Westbrook.	

Absent.

Bailey. Parr.
Bledsoe.

Absent—Excused.

Davidson. Hall.

The bill was read third time and finally passed by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey. Parr.
Bledsoe.

Absent—Excused.

Davidson. Hall.

Simple Resolution No. 14.

Senator Caldwell sent up, by unanimous consent, Senate Resolution No. 14:

Resolved, That the Secretary of State be instructed to furnish members of the Senate with copies of the laws of the Third and Fourth Called Sessions of the Thirty-sixth Legisla-

ture, bound either in sheep or buckram.

CALDWELL.

The resolution was read and adopted.

Simple Resolution No. 15.

Senator Caldwell received unanimous consent to send up Simple Resolution No. 15:

Resolved, That there is hereby appropriated out of the contingent expense fund of the Senate the sum of two hundred and fifty dollars, or as much thereof as may be necessary, for compiling, indexing and proof-reading the laws passed by the Fourth Called Session of the Thirty-sixth Legislature; said work shall be done under the direction of the Secretary of State and when same is completed voucher shall be issued by the Chairman of the Contingent Expense Committee of the Senate, upon account duly approved by the Secretary of State for the amount herein appropriated, and said account shall be paid by the Comptroller as all other accounts are paid.

CALDWELL.

The resolution was read and adopted.

Simple Resolution No. 16.

Senator Caldwell sent up, by unanimous consent, Simple Resolution No. 16:

Resolved, First, That 250 volumes of the Senate Journal of the Fourth Called Session, when completed, shall be printed and shall be bound in full law sheep or buckram, and that one volume when thus bound shall be forwarded by the Secretary of State to each member of the Senate and one to each Representative, and the remainder shall be retained by the Secretary of State. The printing of such State Journals in permanent forms shall be done in accordance with the provisions of this resolution under the supervision of the Journal Clerk of the Senate within sixty days after the last copy shall have been furnished to the contractor. And it is further provided that it shall be the duty of the Journal Clerk of the Senate not to receive or receipt for said Senate Journals until correctly

published as required herein and by pre-existing law.

When said Journals have been published and the account approved by the State Printing Board, the same shall be paid for out of the contingent expense funds of the Fourth Called Session of the Thirty-sixth Legislature that is available; provided, that the Chairman of the Committee on Contingent Expenses shall not issue voucher for said amount until the Journal Clerk has certified to him that the Journal has been published and delivered in accordance with the provisions of this resolution.

Second, That the Journal Clerk, John Cofer, be retained thirty days after adjournment, and that he be allowed for his services \$7.50 per day, and that he be instructed to prepare and deliver to the public printer, Journal of the Senate, together with a complete and comprehensive index to same, and to deliver to the Secretary of State all documents, bills, etc., and Journals by law required to be delivered to him by the Secretary of the Senate.

Third, That Miss Lulu Gardner, the Calendar Clerk, be retained two days and be instructed to check up, index and arrange such bills, books, resolutions and other documents as may remain in her possession and deliver same to the Secretary of the Senate.

Fourth, That the Sergeant-at-Arms, J. A. Kenny, be instructed to immediately prepare a complete and itemized duplicate inventory of all property of the Senate, including all furniture and property in the Lieutenant Governor's room and the reception room with marks of identification entered on the invoice; such inventory to show the condition and probable value of such property, and that each copy of such inventory to be approved by the President of the Senate and to be delivered by the Sergeant-at-Arms to the Senate at the next Special or Regular Session of the Legislature as soon as said Sergeant-at-Arms has been qualified; and that the Sergeant-at-Arms be allowed an assistant Sergeant-at-Arms, Captain Walker, and three porters, to be selected by him, for three days' time after the adjournment of the Legislature. The Sergeant-at-Arms to receive \$7.00 per day and assistant Sergeant-at-Arms \$5.00 per day and porters to receive \$3.00 per day.

Fifth, That the Engrossing Clerk and the assistant Engrossing Clerk and the Enrolling Clerk and the assistant Enrolling Clerk each be retained for two days, at \$5.00 per day each, and be required to hand to the Secretary of the Senate all books and documents pertaining to the Senate in their possession at the adjournment of the Legislature.

Sixth, That the Secretary of the Senate, W. V. Howerton, be retained ten days and be instructed to complete the duties as Secretary and in completing the record of the Executive Sessions, and deliver all records and documents to the Journal Clerk as is required of him, and shall be paid the sum of \$7.50 per day.

Seventh, That the Postmistress, Mrs. Clyde D. Smith, be requested to make out a list of the Senators and employees of the Senate, with their respective postoffice addresses, and furnish the same to the postmaster at Austin, with the request that he forward their mail to their respective addresses after adjournment, and that she be paid for three days' time at \$5.00 per day.

Eighth, That Mrs. Banks and Mrs. Sturdivant, Mailing Clerk and Assistant Mailing Clerk, respectively, be retained for five days to mail out the Journals of the last days of the session.

Ninth, That the expenditures under this resolution may be paid out of the contingent or per diem funds of the Fourth Called Session of the Thirty-sixth Legislature; that \$100, or as much thereof as may be necessary, shall be appropriated out of contingent expense funds to pay postage or express charges on Journals sent out.

Tenth, That the Enrolling Clerk be instructed to deliver to the Secretary of State copies of all bills which have been enrolled by him during the session.

The resolution was read and adopted.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, Oct. 2, 1920.
Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 18, A bill to be entitled "An Act amending Sections 4 and 8 of Chapter 3 of the Acts of the Thirty-sixth Legislature at its Third Called Session, approved June 3, 1920, creating the Ninetieth Judicial District, removing the limitations in said Act as to the jurisdiction of the district court in said judicial district and adding thereto a new section to be known as Section 8A, providing that the district attorney of the Forty-second Judicial District shall be the district attorney in the Ninetieth Judicial District, authorizing the district attorney in the Forty-second Judicial District to appoint an assistant district attorney, fixing a limit on the salary of such assistant, and authorizing the payment of such salary out of the fees of office collected by such district attorney upon the approval of the district judges in said Forty-second and Ninetieth Judicial Districts, and declaring an emergency."

Respectfully submitted,

O. P. BASFORD,

Acting Chief Clerk, House of Representatives.

Conference Report on H. B. No. 22.

Senator Dayton sent up the Conference Committee Report on House Bill No. 22.

See Appendix.

The report was read.

House Bill No. 26.

Unanimous consent was granted to take up,

H. B. No. 26, A bill to be entitled "An Act to amend Section 2 of Chapter 138, Special Laws of the Thirty-third Legislature, enacted at its Regular Session, creating the Eagle Lake Independent School District; the said amendments providing for revising the metes and bounds of said district, and the annexation of adjacent territory thereto, and declaring an emergency."

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 26 was put on its second reading by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey.	Parr.
Bledsoe.	

Absent—Excused.

Davidson.	Hall.
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The bill was read second time.

The Senate rule was suspended by unanimous consent.

The committee report was adopted.

The bill was passed to its third reading.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 26 was put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey.	Parr.
Bledsoe.	

Absent—Excused.

Davidson.	Hall.
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The bill was read third time and finally passed by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.

Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey.	Parr.
Bledsoe.	

Absent—Excused.

Davidson.	Hall.
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Conference Report on House Bill No. 22.

On the motion of Senator Dayton the Conference Committee report on House Bill No. 22 was adopted by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey.	Bledsoe.
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Absent—Excused.

Davidson.	Parr.
Hall.	

Recess.

On the motion of Senator Clark, the Senate at 6:30 p. m., recessed until 7 o'clock this evening.

SATURDAY NIGHT.

The Senate was called to order by Lieutenant-Governor Johnson at 7:00

o'clock p. m. pursuant to recess.

At Ease.

On the motion of Senator Dudley, the Senate stood at ease subject to the call of the Chair.

Bills Signed.

After their captions were read the Chair signed in the presence of the Senate S. B. No. 18, H. B. No. 23, H. B. No. 6, H. B. No. 26, H. B. No. 27, H. B. No. 28, H. B. No. 29, H. B. No. 36, H. B. No. 37, H. B. No. 22.

Simple Resolution No. 17.

Senator Dean sent up the following resolution:

Resolved, That the Secretary and the Journal Clerk of the Senate be allowed postage stamps to the amount of three dollars for post-session correspondence.

The resolution was read and adopted.

Simple Resolution No. 18.

Unanimous consent was granted Senator Caldwell to send up Simple Resolution No. 18.

Resolved, That the Assistant Journal Clerk, Miss Josephine Collins, be retained for two days after adjournment and the Assistant Sergeant-at-Arms, Morris Midkiff, be retained for three days after adjournment, each to be paid five dollars per day.

CALDWELL.
DAYTON.

The resolution was read and adopted.

Committee From House.

A committee from the House announced that the House had adopted S. C. R. No. 3, providing for sine die adjournment Saturday, October 2, 1920, at 10 o'clock p. m., and announced that the House had completed its labors and was ready to adjourn.

Election of President Pro Tem.

The Chair announced nominations

in order for President Pro Tem ad interim.

Senator Floyd nominated Senator Faust.

The nomination was seconded by Senators Westbrook, Hopkins, Dayton, Alderdice, Williford, Dean, Suiter, Smith, Dorough, Woods, Page, Caldwell and Carlock.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, October 2, 1920.
Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted S. C. R. No. 3 providing for sine die adjournment.

Respectfully submitted,
O. P. BASFORD,
Acting Chief Clerk,
House of Representatives.

Election of President Pro Tem.

The Chair appointed Senators Dayton, Westbrook and Hopkins tellers and instructed the Senators to prepare their ballots.

The ballots having been collected, the tellers announced that Senator Faust had received 20 votes, and he was declared elected President Pro Tem ad Interim.

The Chair appointed Senators Gibson, Dean and Floyd a committee who escorted Senator and Mrs. Faust to the platform where Senator Faust was administered the oath of office.

Senator Faust addressed the Senate.

Written Motion.

Senator Dayton sent up the following written motion:

I move that the President of the Senate appoint two committees, of three each, one to notify the House and one to notify the Governor, that the Senate has concluded its labors and is now ready to adjourn.

The motion was read and adopted.

Committees Appointed.

The Chair appointed Senators

Suiter, Dorrough, and Witt to notify the Governor, and Senators Buchanan of Bell, Buchanan of Scurry, and Carlock to notify the House.

Simple Resolution No. 19.

Unanimous consent was granted Senator Dorrough to send up Simple Resolution No. 19.

Be it Resolved, That the Senate extends its thanks to its retiring member, Hon. Lon A. Smith, for the painstaking and efficient manner in which he has discharged the duties of chairman of the Committee on Enrolled Bills.

The resolution was read and adopted.

Committees Returned.

The committees appointed returned and reported their duty performed.

Adjournment.

The Senate at 9:10 p. m., on the motion of Senator Hopkins, adjourned sine die.

APPENDIX.

Petitions and Memorials.

Telegrams were sent up, two from Commerce and five from Greenville, urging the defeat of the Port Bill.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, Sept. 30, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 13 carefully compared and find the same correctly engrossed.

ALDERDICE, Acting Chairman.

Committee Room,
Austin, Texas, Sept. 30, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 20 carefully compared and find the same correctly engrossed.

ALDERDICE, Acting Chairman.

Committee Room.

Austin, Texas, Oct. 1, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 19 carefully compared and find the same correctly engrossed.

FAUST, Chairman.

Committee Room.

Austin, Texas, Oct. 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 24 carefully compared and find same correctly engrossed.

ALDERDICE, Acting Chairman.

Committee Reports.

(Floor Report)

Senate Chamber,

Austin, Texas, Oct. 1, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred House Bill No. 6, has had said bill under consideration and I am directed by said committee to report same back to the Senate with the recommendation that it do pass with the following amendments, and that the bill be not printed:

Amendment No. 1.

Strike out all after the enacting clause and insert in lieu thereof the following:

Section 1. The ports of Texas were constructed and are being maintained at public expense, and any obstruction in or hindrance to these channels of trade affects the general business and welfare of the State. It is therefore declared to be the policy of the State that the same should be kept open at all times in order that the movement of intra-state, interstate and foreign commerce through said ports shall not be impeded or interfered with.

Sec. 2. The words "port" or "ports," as used in this Act, are defined to mean and include all places

where ocean-going or coastwise ships are loaded or unloaded.

Sec. 3. It shall be unlawful for any person or persons, by acts of physical violence or intimidation, or by threats of physical violence or by the use of abusive language, spoken or written, to prevent or attempt to prevent any person or persons engaged in loading or unloading any ship or ships at any port or ports within the State of Texas, from engaging in, continuing in, or performing the duties of such employment.

Sec. 3-A. It shall be unlawful for any two or more persons to conspire together to prevent or attempt to prevent, by the use of acts of physical violence or intimidation, or by threats of physical violence or by abusive language, spoken or written, any person engaged in loading or unloading any ship or ships at any port or ports within the State of Texas, from engaging in, continuing in, or performing the duties of such employment.

Sec. 4. Any person who shall, through any act of physical violence to any person or persons engaged in loading or unloading any ship or ships in any port in Texas, or who shall, by any threat to use physical violence towards any person or persons loading or unloading any ship or ships at any port in Texas, whether such threat is directly to such person or persons so engaged in person or by writing, by telegraph, by telephone, or in either of said ways, to the wife, mother, father, brother, sister, child or children of such person or persons, while so engaged or during the hours of the day or night, when not engaged in such work, which is reasonably calculated, intended or designed to cause such person or persons so engaged to desist from engaging in such work, shall be deemed to have interfered with such person or persons engaged in loading or unloading a ship or ships at a port in Texas. Provided that the designation of what constitutes an unlawful interference as defined in this section shall not be held to be exclusive of other violations of Sections 3 and 4 of this Act coming within the terms of said sections.

Sec. 5. The term "person or persons engaged in loading or unloading ships at any port in Texas," as used in this Act, shall be construed as including any person or persons em-

ployed in any way at the docks or wharves, or on switches, railroad tracks, cotton compresses, streets, sidewalks, or alleys, or any approach or appurtenance belonging to, incident to, or used in connection with such loading or unloading and persons engaged in transporting cotton and other products or articles of commerce to or from places located in the vicinity of the port. This Section by naming certain occupations shall not be construed to exclude any occupation not named, but shall be construed to include all persons who are engaged in work that is necessarily connected with the movement of commerce through any port in Texas in the county where said port is situated, even though the work be not actually loading or unloading of ships.

Sec. 6. The provisions of Section 3 shall not apply to peace officers, or other persons, who may, in the proper and lawful discharge of their duty, interfere with men who are engaged in work connected with the movement of commerce through the ports of Texas.

Sec. 7. Any person violating any of the provisions of this Act shall be deemed guilty of an offense, and upon conviction thereof shall be punished by confinement in the State Penitentiary for a term of not less than one year or more than five years, or by confinement in the county jail for a term of not less than thirty days or more than one year.

Sec. 8. If at any time the movement of commerce through the ports of Texas, or any of them, is interfered with in violation of the provisions of this Act, and the Governor becomes convinced that the local authorities are failing to enforce the law, either because they are unable or unwilling to do so, the Governor shall, in order that the movement of commerce may not be interfered with, forthwith issue his proclamation declaring such conditions to exist, and describing the area thus affected.

Sec. 9. Upon the issuance of the proclamation, as provided for in the preceding section, the Governor shall exercise full and complete police jurisdiction over the area described in the proclamation, whether the same be within or without, or partly within and partly without, the limits of an incorporated city. The exercise of said police jurisdiction by the Governor,

as above set out, shall supersede all police authority by any and all local authorities, provided that the Governor shall not disturb the local authorities in the exercise of police jurisdiction at any place outside the district described in the proclamation.

Sec. 10. No peace officer of the State of Texas shall be permitted to make an arrest after the Governor's proclamation has become effective in the territory embraced by such proclamation, except officers acting under the authority of the Governor. Persons arrested within the district shall be delivered forthwith to the proper authorities for trial.

Sec. 11. Indictment for violations of the provisions of this Act may be returned by the grand jury of the county in which the violation occurs, or by the grand jury of Travis County, and persons indicted may be prosecuted and finally tried in the county in which the indictment is returned.

Sec. 12. When the provisions of this Act have been violated by any person or persons, and the grand jury of the county in which the offense was committed has returned an indictment the district judge into whose court the indictment may be returned may grant a change of venue upon motion made by the Attorney General, representing the State, or at his direction by the prosecuting attorney locally. The motion for a change of venue shall be sufficient if it sets out the offense charged is one prohibited by the provisions of this Act, and that on account of local prejudice or preference or influences, it is the opinion of the Attorney General, after fair investigation, that an impartial trial could not be had in such county, and that no conviction could probably be obtained. Upon the filing of such motion, the district judge in whose court such case may be pending may immediately enter a proper order changing the venue of such case to such other county as the court may select, not subject in the opinion of the Attorney General to like conditions and objections or said District Court may determine said motion in accordance with the provisions of Article 626 or Article 627 of the Revised Code of Criminal Procedure of the State of Texas.

Sec. 13. The Attorney General, when directed by the Governor, shall assist the district or county attorney in the prosecution of all offenses com-

mitted within the territory embraced by said proclamation, and for all violations of the provisions of this Act.

Sec. 14. The provisions of this Act shall be effective without a declaration of martial law. The State Rangers may be used in the enforcement of the provisions of this Act. If a sufficient number of Rangers is not available, the Governor is authorized to employ any number of men to be designated as Special Rangers, and such men shall have all the power and authority of the regular Rangers, and shall be paid the same salary as Rangers are paid, and such salaries shall be paid out of the appropriation made to the executive office for the payment of rewards, and the enforcement of the law.

Sec. 15. Nothing in this Act shall be construed as limiting the power and authority of the Governor to declare martial law and to call forth the militia for the purpose of executing the law, when in the judgment of the Chief Executive it is deemed necessary to do so.

Sec. 16. The great importance of keeping the ports of Texas open, and permitting the free and unrestricted movement of commerce therethrough, and the dependence of the people of this State upon such movement of commerce for supplies, and the near approach to the end of this special session of the Legislature, create an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days be suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Amendment No. 2: Strike out the caption and insert in lieu thereof the following:

"An Act to protect the movement of commerce through the ports of Texas, defining "ports," declaring it to be the policy of the State that the same shall be kept open at all times in order that the movement of commerce through said ports shall not be interfered with; making it unlawful for any person to interfere with such commerce passing through such ports by interfering with persons engaged in work that is necessary for the movement of commerce; prescribing the punishment to be assessed against the persons convicted of such offense. Empowering the

Governor to protect the commerce passing through said ports; providing for the use of the Rangers or Special Rangers in the enforcement and prosecution for violation of this Act; providing the venue for the indictment and prosecution for violation of this Act; providing that nothing in this Act shall be construed as limiting the power of the Governor to declare martial law and to call forth the militia for the purpose of executing the law, and declaring an emergency."

DEAN, Chairman.

Senate Chamber,

Austin, Texas, Oct. 1, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs, have had Senate Bill No. 24 under consideration, and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

(Floor Report)

Senate Chamber,

Austin, Texas, Oct. 1, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 6, has had the same under consideration, and I am directed by said committee to report same back to the Senate with the recommendation that the committee substitute be adopted.

HERTZBERG, Chairman.

Committee Substitute for Senate Concurrent Resolution No. 6:

Whereas, The cotton market of Texas is in such a depressed condition at this time as to mean the almost certain ruin of the great mass of cotton growers of Texas; and

Whereas, The situation has become so grave as to cause the Governor of Texas on September 29th of this year to submit a special message to the Legislature for the purpose of amending the anti-trust laws of Texas so that the Texas farmers might hold their cotton without violating the same; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, that we invoke the assistance, help and good offices of the Federal

Reserve Board, the Secretary of the Treasury and all agencies of the government and the whole people of these United States for the help and protection of our cotton growers; that we most earnestly entreat all these agencies to help us market our cotton in the markets of the world to the best advantage and in a gradual manner; and be it further

Resolved, That the Secretary of the Senate forward a copy of this resolution to Governor Harding of the Federal Reserve Board, and Secretary of the Treasury Houston.

(Floor Report)

Senate Chamber,

Austin, Texas, Oct. 1, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred Senate Bill No. 23, have had said bill under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed but be printed in the Journal.

SMITH, Vice Chairman.

The following is the bill in full:

By Dorough, Gibson. S. B. No. 23.

A BILL

To Be Entitled

An Act to create a State Warehouse System and to provide a method of co-operative marketing for those engaged in the production of farm, ranch and orchard products and for the purpose of effectuating this end, creating a Board of Warehouse Commissioners; defining the authority of said board and its powers; providing for a system of State owned and operated warehouses, operated under the control of the Commissioner to be selected by the State Board; defining the rights, powers and duties of co-operative marketing associations, formed under the provisions of the State marketing law, created by this Act; providing a by-law and rules and regulations governing same, declaring gins to be subject to public use and requiring all ginners in this State to file an application and bond for license and obtain a permit from the Commissioner of Markets and Warehouses, prescribing certain rules and regulations with reference to ginning and

sampling of cotton so ginned; authorizing the Commissioner of Markets and Warehouses to appoint a chief clerk and deputy commissioner and such additional help as is necessary to successfully carry on the work of the department, authorizing the employment of examiners to examine into the affairs of State owned and controlled warehouses and of marketing agencies authorized under the provisions of this Act; providing for the levy of a tax of 50 cents per bale upon all cotton ginned in this State and for the collection of same; providing that such money so collected shall be deposited in the State Treasury as a special fund for the purpose of building warehouses and for the administration of this Act; providing for an appropriation as an emergency measure and the employment of such experts as is necessary at this time to aid the farmers of the State in disposing of the low grade of cotton now on hand; providing for the pooling of same; providing for the form of receipts to be issued against all cotton or other products stored in State owned or controlled warehouses; providing penalties for the violation of this Act and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The purpose of this Act is to provide for a system of warehouses owned and controlled by the State for the purpose of storing the products of the farm, more particularly cotton and cotton products, and to provide for the organization of marketing associations with policies intended to aid the producers of farm, ranch and orchard products in securing the highest market prices for their products; such warehouses to have power under sufficient authority to issue negotiable receipts under the provisions of this Act for the storage of all products so stored in such warehouses.

Sec. 2. The office of the Commissioner of Markets and Warehouses is hereby created, and it shall be the duty of the Governor of this State to appoint a Commission constituted of six men of known personal integrity, all of whom shall be farmers, or directly interested in growing and marketing cotton, who shall constitute a board to be known as the Warehouse Commission of Texas.

The terms of office of each shall be six years from the date of such appointment. The first commission shall be divided into three classes, whose terms of office shall be two, four and six years, and when appointed they shall draw for their terms. Such commission when so appointed are hereby authorized to appoint a Commissioner of Markets and Warehouses to fill the office so created, and to discharge all its duties. The Commissioner so selected shall be the managing officer of such board and shall be the executive officer thereof. He shall have, in addition to the powers herein given him by law, such additional powers and authority as may be conferred upon him by the board under the provisions of this Act and the general provisions of the Warehouse Law not herein repealed. The Commissioner so appointed shall hold his office for two years from the date of his appointment, or until his successor shall be appointed and qualified; provided, that the present Commissioner of Markets and Warehouses shall hold his office until the expiration of his term. The Commissioner so appointed shall receive a salary of four thousand (\$4,000.00) dollars per year as compensation for his services, to be paid in equal monthly installments. Said Commissioner shall take the oath of office now required of all public officers under the Constitution of this State, and shall give bond, payable to the Governor, in the sum of ten thousand (\$10,000.00) dollars for the faithful performance of his duties. Wherever the term "Commissioner" is used in this Act it shall mean the Commissioner of Markets and Warehouses of the State of Texas.

Sec. 3. Said Commissioner shall have authority to appoint a chief clerk, who shall be known as Deputy Commissioner and such other help as may be necessary in carrying out the provisions of this Act, at such salaries as may be fixed by the Legislature from time to time by appropriation. Such employes and Commissioner, in addition to their salaries, shall be entitled to receive their actual and necessary expenses when traveling on official business for the State. All expenditures, including all expenses of administering this department, shall be paid by warrants, drawn by the Comptroller on the State Treasury, on accounts approved

by the Commissioner, or on his authority, or in the absence of the Commissioner by the Deputy Commissioner. The Commissioner shall be furnished with sufficient room and office space in the capitol or in the State Office Building at Austin, Texas, to meet the requirements of his Department, and it shall be the duty of the State Board of Control from time to time to provide such additional space as may be necessary for the proper conduct of said department.

Sec. 4. The Commissioner shall use a seal with five points, and with the words "Commissioner of Markets and Warehouses of Texas" engraved thereon. The Commissioner and such persons as may be appointed by him shall have authority to administer oaths for the purpose of this Act, and such persons may, upon their warrants, at any time examine into the affairs of any gin or corporation licensed under this Act. Such examinations shall be under the direction and at the instance of the Commissioner.

RIGHTS AND DUTIES OF GINS.

Sec. 5. All gins operated in this State, whether by individuals, partnerships, joint stock companies, or corporations, ginning cotton for commercial purposes, shall be known as ginners; and shall be charged with a public use; and shall be required to obtain a license as a licensed ginner, from the Commissioner, which license shall be renewed each year, upon the payment of an annual fee of One (\$1.00) Dollar. Applications for such license shall be made to the Commissioner of Markets and Warehouses, stating the location and amount of capital of the gin, by whom owned, by whom conducted, and the postoffice address of the owner and operator. Such application shall be accompanied by a bond in the form prescribed by the Commissioner. Such bond may be that of a bonding and indemnity company authorized to do business in Texas, or may be a personal surety bond; and in the event of a personal surety bond, such bond shall be renewed once each year; provided, in no event shall a bond of less than Two Hundred and Fifty (\$250.00) Dollars, nor more than One Thousand (\$1,000.00) Dollars, be required of any one ginner for each gin he may own. Said bond shall be payable to the State of Texas, for the

use and benefit of all who may have a cause of action against the maker thereof under the terms and provisions of this Act; and suit may be brought thereon against the maker thereof in any court of competent jurisdiction, in the name of the aggrieved party, without the necessity of binding the State in the suit; but venue of the suit shall be subject to the general venue statutes of the State. Said bond shall not be void on first recovery, but repeated suits may be brought on one bond until the amount of same has been exhausted; and when the bond has become impaired by reason of any judgment thereon, the maker thereof shall be required to give a new bond, or make good the impairment; otherwise the Commissioner shall cancel his license as a public ginner. The conditions and obligations in the bond shall be that the cotton ginned by the gin designated in the bond, and in its application for license, has been carefully ginned, and that no foreign matter or substance has been placed in the cotton, nor has any water or anything that would increase the weight thereof been placed therein during the process of ginning, before or thereafter, while the cotton was in possession of the gin; and that the gin will separate the dirt from the seed; and that any sample of cotton taken from the bale during the process of ginning, as provided in this Act, is a fair and true sample of the cotton in the bale.

Sec. 6. Each licensed and bonded ginner under this Act shall take from each bale of cotton ginned by him two fair, true and correct samples of cotton, weighing not more than 5½ ounces each, and place the same in separate receptacles and seal the same so that they may not be opened except by cutting. The two samples so taken shall be delivered to the owner. In case the cotton is deposited in a warehouse, one of said samples shall be left with the warehouse manager and the other sample may be kept by the owner or person in charge of the bale to be delivered to the person purchasing such bale. Each of said samples shall be stamped on the outside of the wrapper thereof the following words: "A true and correct sample taken byGinner," giving the name of the gin, and it shall have written in plain figures the bonded gin number, the bale number and the weight of the bale at the gin. The

provisions of this Section, however, shall not become operative until July 1, 1922.

Sec. 7. Each bale of cotton ginned by a licensed and bonded ginner in this State shall be so wrapped that the bale will be completely covered when compressed; provided, that the ends of the bale shall be closed and well sewed, and provided further, that the quality of the bagging shall at all times be such that markings thereon will, under ordinary conditions, remain intact and visible. Each and every licensed and bonded ginner shall mark each bale of cotton ginned by him with a metal tag or marker of some indestructible material, on which shall be stamped in distinct letters the following: "B....." and "B.G.....," together with the name of the gin or ginner, and his postoffice address. The manner of marking for identification may at any time be regulated by the Commissioner. The first blank above indicated shall be filled in by the ginner by placing the same number, numerically, as that of the bale, as shown on the books of the gin ginning the same; and the letter "B" shall stand for "bale." The second blank shall be filled in by the ginner inserting the number of the gin license assigned to him by the Commissioner; and the letters "B.G." when so used, shall stand for "bonded gin." It shall be the duty of all compress men in this State to retain such metal tag on the identical bale from which it was taken at the compress and to place such metal tag so taken from the bale on the compressed bale at the compress. Failure to do so on the part of the superintendent, manager or owner of the compress shall constitute a penal offense, punishable by a fine of not less than Twenty-five (\$25.00) Dollars nor more than Two Hundred (\$200.00) Dollars for each bale so compressed without placing the correct tag on each bale of cotton so compressed by him.

Sec. 8. The Commissioner shall have power and authority, and it shall be his special duty to enforce the different provisions of this law relating to ginner, and to regulate and control such cotton gins in all matters relating to the performance of their duties as such, under such rules and regulations as may be adopted by the Board from time to time. He shall have power to cancel the license of any ginner who

violates the law or the rules and regulations prescribed by the Board after proper and reasonable notice and hearing.

Sec. 9. All matters relating to the issuance of ginner's license, as in this Act provided, and all rules and regulations pertaining to gins, ginning and ginner, as authorized and required by any provision or action of this Act, shall be subject to review by the Warehouse Commission herein created for their affirmation, notification or review.

Sec. 10. It shall be the duty of the Commissioner of Markets and Warehouses, as Chairman of the Warehouse Commission, to convene the Board at such times as may be necessary to hear and decide all questions properly coming before it for review and decision; to review all rules, regulations and acts of the Commissioner pertaining to gins, ginner and ginning; to warehouses or warehousing supervision; or any other question that may be subject to review by said Board under the terms and provisions of this Act.

All acts of the Commissioner, or of the Board, shall be subject to review by any court of competent jurisdiction of this State.

CO-OPERATIVE MARKETS AND WAREHOUSE CORPORATIONS.

Sec. 11. Any number of persons, not less than ten, at least 60 per cent of whom shall be engaged in agriculture, horticulture, or stock raising as a business, and not less than three-fourths of whom shall be resident citizens of Texas, may apply to the Commissioner for a charter to permit them to organize and operate as a co-operative association, under the provisions of this Act; provided, in cities of a population of forty thousand (40,000) or over, the above provisions shall not apply. The application for such a charter shall contain:

1. The name of the corporation.
2. The place where its principal office and place of business is to be located.
3. The purpose for which the corporation is formed.
4. The term for which it is to exist.
5. The number of its directors, which shall not be less than three, nor more than twenty-five, and the names of residences of those selected for the first year.

6.. The amount of the capital stock.

7. The application shall be accompanied by the affidavit of three of such applicants, showing that not less than 50 per cent of the capital stock is actually paid in, which capital stock shall be in no instance less than five hundred (\$500.00) dollars, divided into shares of five (\$5.00) dollars each; and if the same has been paid in otherwise than in cash, then a detailed statement as to the kind, character, and value of the property in which paid shall be made a part of the affidavit.

Sec. 12. When such application for charter is filed with the Commissioner, and approved by him, it shall be the duty of the Secretary of State to file same in his office and record such charter so filed in the same way and manner as now provided for by law for the filing and recording in the office of the Secretary of State. The Secretary of State shall be entitled to collect the following fees for filing of charters of corporations created under the terms and provisions of this Act.

One (\$1.00) dollar per thousand of such capital stock on all of the amounts up to and including twenty-five thousand (\$25,000.00) dollars; provided in no event shall the filing fee be greater than twenty-five (\$25.00) dollars for filing and recording any charter created under the terms and provisions of this Act. It shall be the duty of the Secretary of State, after the payment of all necessary fees as provided for herein, to record said charter at length and furnish the Commissioner with two certified copies thereof, one of which shall be kept in the office of the Commissioner and there recorded by him, and the other shall be delivered to the officers of the corporation so created.

Sec. 13. The property and business of corporations chartered hereunder shall be controlled and managed by a board of directors consisting of not less than three nor more than twenty-five, who shall be managers of the corporation and stockholders thereof, and shall be bona fide citizens of the State of Texas. No member of the board of directors of one corporation shall become a member of the board of directors of any other corporation organized under the provisions of this law, except he may become a member of a central marketing organization, whose purpose it is

to unify the efforts of local marketing associations, organized in any given territory or community. Nothing in this Act shall prohibit corporations, organized under the terms and provisions of this Act, from taking stock in a central marketing organization, organized under the terms and provisions of this Act, provided that such stock so taken by such local marketing associations, shall in no event amount to more than fifty (50) per cent of the capital of such local marketing association. The directors of each corporation, organized under the terms and provisions of this Act, shall be elected annually, at a general meeting of stockholders of such corporation, which meeting shall be held at such time and such place as may be prescribed by the by-laws of the corporation. Notice of such meeting shall be mailed to each member at least two weeks before the date set for the same. Each member of the corporation, at all general and special meetings of the same, shall have one vote, and no more, regardless of the amount of the capital stock he may own in the organization.

Sec. 14. Each and every marketing association chartered under the laws of this State shall be subject to the supervision and control of the Commissioner, and it shall be his duty to make or cause to be made an examination of the affairs and dealings of each of such corporations at least once each year, and oftener if he shall deem necessary; such examination shall be made under such rules and regulations as may be prescribed by the Commissioner and approved by the Board. If, upon examination, any such corporation is found to be insolvent, or has exceeded its powers, or its business is being conducted in an unsafe manner, or if it has failed to comply with the provisions and the requirements of this Act, the Commissioner shall within a reasonable time, not to exceed thirty (30) days from the date of such examination, report the condition of the corporation to the Attorney General, who may bring such action as the necessities of the case and the law may require. The Commissioner shall also, not less than twice each year, and more frequently if deemed necessary, require each of such corporations, created hereunder, to file in his office a sworn statement of its affairs, on forms prescribed by him, showing its financial condition,

giving its assets and liabilities, the totals of its reserve fund, and such other information as may be deemed necessary and advisable. Such statement shall be made upon the oath of one of the managing officers of the corporation and shall be attested by at least the majority of the directors thereof.

Sec. 15. The Commissioner of Markets and Warehouses shall have authority to prescribe such fees as may be fixed by the board for the examination of any marketing association operating under the terms and provisions of this Act; provided that in all instances such fees so prescribed and collected from any marketing association shall in no event exceed one hundred (\$100.00) dollars. All sums of money collected as examination fees shall be paid by the Commissioner directly into the State Treasury to the credit of the general revenue fund.

Sec. 16. Whenever, after an examination, the Commissioner shall have reason to believe that the capital stock of any corporation, subject to the provisions of this Act, is impaired, he shall, by written notice, require the corporation to make good the impairment. Whenever it shall appear to the Commissioner, from any examination made by an examiner, that such corporation is conducting its business in an unsafe and unauthorized manner, he shall, by an order under his hand and seal, direct the discontinuance of such illegal, unsafe, and unauthorized practice, and shall require a strict compliance with the requirements of the law. If wrong entries are made in the books of a corporation, or if wrong and unlawful uses of its funds have been made, the Commissioner shall require that such entries be corrected and such sums as were unlawfully paid out shall be restored to the corporation by the person or persons responsible for the wrongful use thereof. Whenever any corporation shall refuse or neglect to make any such report as is hereinbefore required, or to comply with any such order as aforesaid; or whenever it shall appear to the Commissioner that it is unsafe or inexpedient for any such corporation to continue to transact business, by reason of neglect or mismanagement, or that any officer or director has abused his trust, or has been guilty of misconduct, or of malversation of his official position,

injurious to the institution, or that has suffered a serious loss by fire, repudiation, or otherwise, the Commissioner shall communicate the facts to the Attorney General, who shall institute such proceedings as the nature of the case may require. The court, or judge, in term time or vacation, before whom such proceedings may be justified, shall have power to grant such orders in its or his discretion as may be necessary to grant such relief as the evidence and the situation of the parties may require. If, from any examination made by the examiner, it shall be discovered that any corporation organized under this Act is insolvent, or that its continuance in business will seriously jeopardize the interest of its stockholders or its creditors, it shall be the duty of the Commissioner to immediately close such corporation, and to take charge of all of its property and effects. Upon taking charge of any such corporation, the Commissioner shall, as soon as practicable, ascertain by a thorough examination into its affairs, its actual financial condition; and whenever the Commissioner shall become satisfied that such corporation cannot resume business or liquidate its indebtedness to the safety of its shareholders and its creditors, he shall report the fact of its insolvency to the Attorney General. Upon receipt of such notice and information, the Attorney General shall institute proper proceedings, in the proper court, for the purpose of having a receiver appointed to take charge of such corporation, and to wind up its affairs and business for the benefit of its creditors and members; and it is made the duty of the court, and judge thereof, in term time or vacation, after notice and hearing, if it appear necessary, to appoint a receiver to take possession of the property and effects of said corporation, for the purpose of winding up the business thereof. Also, the Commissioner may appoint a special agent to take charge of the affairs of any such insolvent corporation, until a receiver is appointed. The special agent so appointed shall qualify, give bond, and receive compensation, the same as regularly appointed warehouse examiners; such compensation to be paid by the corporation, out of its assets, when allowed by the court as costs, in the case of the appointment of a receiver; provided, that in

no case shall any corporation continue in charge of such special agent for a longer period than sixty days. Any corporation chartered hereunder may place its affairs and effects under the control of the Commissioner, on notice to him, and by posting a notice on its front door as follows: "This institution is in the hands of the Commissioner of Markets and Warehouses of the State of Texas." The posting of this notice, or a similar notice, by the Commissioner, or under his direction, that he has taken possession of any corporation, shall be sufficient to place the property and assets of the corporation, of whatever nature, in possession of the said Commissioner, and shall operate as a bar to any and all attachment proceedings.

Sec. 17. If any corporation subject to the provisions of this Act shall refuse to submit its books and papers, and correspondence, for inspection, to the Commissioner, or any of his authorized examiners; or, if any officer or director of any such corporation shall refuse to be examined on oath touching the business and property of the corporation; or, if it shall be found to have violated its charter, or any law of the State binding upon it, the Commissioner shall report the facts to the Attorney General, who shall institute such proceedings against such corporation as are authorized to be instituted against insolvent corporations.

Sec. 18. The directors of any corporation chartered hereunder may appoint, or remove any officer or other employe, at pleasure. No officer nor employe shall have power to endorse, sell, pledge or hypothecate any bond, note or other obligation of any kind or character which is the property of such corporation, or that is received by such corporation, or any property deposited with it as warehousemen, bailee, or for the purpose of marketing same, until such power and authority shall be given such officer or employe by the board of directors in a meeting of the board, regularly called and held, and a written record of such proceedings shall have been first made upon the minutes of the corporation; and any such acts of any officer, or employe, endorsing, selling, pledging, or hypothecating any such pledge or property, shall without the authority of the Board

of Directors, as herein provided, be null and void.

Sec. 19. Corporations chartered under provisions of previous sections of this act shall have the right to erect, purchase, or lease, and operate warehouses, buildings, elevators, gins, storage tanks, silos, and such other places of storage and security as may be necessary for the storage, grading, weighing, and classification of all farm products, except cotton, and for the purpose of preparing such products for market. Before any such corporation shall be permitted to open its doors for business, and in order for it to continue to transact business, the employe, or officer, in active management, shall obtain a certificate from the Commissioner, certifying that he is qualified and authorized to perform the duties of said corporation. In order to receive such certificate, such person must present satisfactory evidence to the Commissioner that he is competent to discharge the duties of such position. Upon receiving satisfactory evidence of qualification, and upon the payment of a filing fee of one (\$1.00) dollar, the Commissioner may issue to any applicant therefor a certificate showing that such applicant is qualified; provided, however, that the life of any such certificate shall not exceed two years, at the expiration of which time the applicant must obtain a new certificate.

Sec. 20. Every local marketing corporation organized hereunder may divide its profits among its members, in proportion to the amount of business transacted for each said member, after having paid dividends to each member, on the amount which each of said members has paid into the capital stock of the company, subject, however, to the following provisions: Twenty per cent of the net profit on each year's business shall annually be paid into the reserve fund, hereinafter provided for, until the reserve fund shall equal twice the amount placed in the capital stock at the time the corporation was chartered; the balance of the net profits shall be divided in accordance with the by-laws of the corporation; provided, that the subscribers to the capital stock shall first be entitled to a ten (10%) per cent dividend or such less amount as may be stated in the by-laws for each year, before the remainder thereof is divided among the members in proportion to

the amount of business transacted for each member. Provided, that these provisions shall not apply to central marketing corporations organized under the terms and provisions of this Act.

Sec. 21. Corporations chartered hereunder shall have the right to act and do and perform, generally, all things which may be done and performed by warehouses. Such corporations shall also have the right to sell in the market all products of the farm, ranch, or orchard, on a commission basis, or such other basis as may be agreed upon by them with their customers. Corporations chartered hereunder shall have the right to purchase or contract, or lease, all such warehouses, landings, and buildings, as may be necessary for their business. They shall have the right to employ such other instrumentalities and agencies as may be necessary for the storage, preservation, and marketing of farm, ranch, and orchard products, to the best advantage of the members and customers; provided, that at least sixty per cent of the shareholders, engaged in such business, shall be engaged in farming, horticulture, or stock raising as a business. Corporations chartered hereunder shall have the right to loan money upon products placed in their warehouses; provided, that the amount loaned thereon shall not exceed seventy-five (75%) per cent of the market value of the property so placed with them. Corporations chartered hereunder shall have the right to loan money upon chattel mortgages, to their members only, for the purpose of enabling them to make and mature their crops, but such chattel mortgages shall always be upon property at least double the value of money loaned thereon. Corporations chartered hereunder shall have the authority to loan money on crop mortgages, but such crop mortgages must always be the first mortgage thereon, exclusive of the landlord's lien, and shall always be secured by an acreage which, under ordinary general conditions, would produce double the amount loaned thereon. Corporations chartered hereunder may invest their capital stock and surplus in a home office building. They must also invest such capital stock, surplus, and undivided profits in the United States bonds, Texas State bonds, county, city, district and

municipal bonds and road bonds in the State of Texas; provided, such bonds are issued by authority of the law, and interest upon them has never been defaulted. Such corporations shall never have the right to receive deposits, nor discount commercial paper generally, but may make such character of loans and investments as are herein provided for; provided, however, such corporations shall never be permitted to loan money upon chattel mortgages, crop mortgages, or personal security, except to their members, and then only to enable them to make, mature, and gather their crops, or market their farm, ranch, or orchard products.

Sec. 22. Corporations chartered hereunder shall have the authority to contract debts, as have other business corporations, and in addition thereto may issue special bonds, to be known as "sinking fund bonds," as follows: They may invest all or any part of their capital stock in such securities as are herein designated for the payment or investment of their capital, which, when approved by the commissioner, shall be deposited in the State Treasury. The interest on such investments shall be annually paid into the State Treasury, and be placed to the credit of the sinking fund for the liquidation of bonds of such corporations, and the interest shall be invested from time to time by the commissioner in similar securities, which, in turn shall be deposited in the State Treasury. Such securities, when so deposited in the State Treasury, shall remain there as the sinking fund out of which the principal sum of the bond hereinafter provided for shall be paid; and said securities shall not be used for any other purpose than to liquidate the bonds herein provided for, unless and until such sinking fund bonds have been paid; in which event, the securities herein provided for shall be returned to the corporation owning same, and shall become a part of the general assets of the corporation. After the investment in the securities herein provided for shall have been made, the commissioner shall grant authority to the corporation to issue bonds in double the amount of such original capital stock, to bear not greater than six (6%) per cent interest and to run for a period of not exceeding thirty (30) years. When said bonds shall have been issued and signed by proper

officers of a corporation, they shall be registered by the Commissioner. Said bonds shall show on their face that the principal thereon is secured by the securities herein required to be deposited in the State Treasury, and shall have plainly written, printed, lithographed or engraved on their face the words, "Sinking Fund Bonds of..... State Bonded Warehouse," with the post office address of the corporation, the blank space to be filled in with the name of the corporation. Said bonds shall show on their face, also, that the interest contracted to be paid thereon is secured to them by the general assets of the corporation. After said bonds have been issued as herein provided for, and registered by the Commissioner, they shall be returned to the proper officer of the corporation issuing them, and may then be by such corporation placed on the market and sold; but they shall never be sold at less than ninety (90%) per cent of their face value.

Sec. 23. The Commissioner shall collect, from every source available, information concerning stock on hand, and the probable yield of farm and ranch products, and disseminate the same; and he shall establish agencies for the sale of farm, orchard, and ranch products, wherever it may be deemed advisable, in which event he is empowered to prescribe all regulations for the conduct of such agencies as may be found necessary.

Sec. 24. For the purpose of carrying out the provisions of this act relating to warehouses hereinafter provided for, the sum of fifty (50c) cents per bale shall be levied as a tax against each bale of cotton grown and ginned in the State of Texas annually, hereafter, and until such sum of money is provided so as to construct warehouses in each and every community in the State of Texas, as may be determined upon by the Board of Commissioners hereby created; said tax of fifty (50c) cents per bale levied under the terms and provisions of this act shall be collected at the gin and shall be remitted by the ginner to the County Tax Collector of the county in which such gin is located, and by him remitted to the State Treasury, and to be credited as a special fund, which such special fund shall be designated as "cotton warehouse fund," under the control of the Board of Commissioners, to be drawn out only on warrants

drawn at the instance of the Board by the Comptroller on the State Treasury; provided, that all moneys collected from any given county hereunder shall first be used for the purpose of constructing and operating warehouses in the county in which such tax was collected, after the payment of all necessary expenses for the administration of this Act. The tax of fifty (50c) cents per bale on each bale of cotton ginned, as herein provided, shall be paid over on the first day of the month of each and every month by the ginner so collecting the same to the county tax collector of the county in which the gin is situated, and a duplicate sworn report of the amount so paid over shall be sent to the Commissioner; provided that when the tax herein provided for shall have raised sufficient funds to construct all local and central warehouses necessary to carry out the provisions of this act in the judgment of the Commissioner, then such tax for any ensuing year may be reduced on proclamation by the Governor, at the instance of the Commissioner, to any sum not less than fifteen (15c) cents per bale per annum, which amount when collected shall be a fund to be used by said Commissioner for marketing purposes, for the administration of this public warehouse system, and at the discretion of the Commission, to provide for such additional warehouse facilities as the expansion of Texas agriculture may make necessary.

Sec. 25. The Commission is hereby authorized to make all rules and regulations governing the storage and handling of cotton and all other agricultural products, and they may require towns and cities, seeking to secure the location of public warehouses, to donate such part of expense of establishing and constructing same as the Commission may deem proper in each case, not to exceed one-half the total cost of such warehouse.

Sec. 26. All cotton warehouses herein provided for are hereby declared to be public warehouses, and the title to the same shall be vested in the Governor of the State of Texas, and his successors in office, for the use and benefit of the State, and authority is hereby given to said commission to purchase, lease, or construct cotton warehouses to be used for the storage of cotton; provided that the same may also be used for the storage of other

farm products, at the discretion of the Commission.

Sec. 27. The ginner for the service in making said reports and in remitting the moneys hereinbefore provided for to the tax collector shall be allowed to reserve one (1c) cent for each and every bale so included in said report.

Sec. 28. The Commissioner shall provide for the construction of two classes of cotton warehouses, one to be known as local warehouses which may be constructed of temporary materials, and the other to be known as central warehouses, which shall in every instance be constructed of durable and fireproof materials. The sites for central warehouses, capacity, material and construction, to be determined by the Commission; the sites for local warehouses, capacity, material and construction to be determined either by the Commission or the Commissioner. The charges in the entire administration of warehouses shall be under the control of the Commissioner, and fees and charges of same shall be made as low as possible to cover the necessary expenses of such cotton warehouses.

Sec. 29. All sums of money derived from the tax herein provided for shall be expended for the purchase of sites, and for the construction of cotton warehouses and the purchase and lease of cotton warehouses; and after a sufficient number of central warehouses have been constructed of fireproof material, the said Commission shall have from fund herein created begin the construction of permanent fire-proof local cotton warehouses, to take the place of the temporary structures hereinbefore provided for, and shall continue the construction of such permanent local cotton warehouses until all temporary warehouses shall have been replaced; and the Commission shall have power to determine where said warehouses, either local or central, shall be located.

Sec. 30. All charges for storage in cotton warehouses operating under the provisions of this act, in this State, shall be subject to limitation and regulation by the Commissioner, to the extent of fixing the charge therefor. The charges so fixed need not to be the same at all places, or at all times, but the Commissioner may take into consideration the local conditions, and the volume of business of each warehouse. In fixing charges for gin com-

press cotton, consideration shall be given to the size of the bale. The Commissioner shall have power to prohibit the storage of cotton or other inflammable commodities in an unsafe building, or require a storage house to be remodeled within certain specified dates, so as not to unduly hamper the conduct of the business, and the convenience of the public. The Commissioner shall require fire insurance by blanket policy or individual policies, in some solvent insurance company, chartered under the laws of the State of Texas, or having a permit to do business in the State, to be carried by all public warehouses and all warehouse corporations operating under this act, and to require such other means and methods of protection from fire and weather or depreciation of warehouse property, as the Commissioner may deem necessary in each case. No fire, fire and marine, marine or inland insurance company, doing business in this State, shall expose itself to any one risk, either upon buildings or any character, or their contents, except when insuring cotton in bales, and grain, in an amount exceeding ten per cent of the aggregate of the paid up capital stock and surplus, unless the excess shall be reinsured by such company, in some other solvent insurance company legally authorized to do business in this State.

Sec. 31. The form of the warehouse receipt shall be prescribed by the Commissioner and must be uniform, and in accord with an Act known as the "Federal Warehouse Uniform Warehouse Receipt Act," and every receipt must embody within its written or printed terms:

- (a) The location of the warehouse where the goods are stored.
- (b) The date of issuance of receipt.
- (c) The consecutive number of the receipt.
- (d) A statement whether the goods received will be delivered to the bearer, to a specified person, or to a specified person or his order.
- (e) The rate of storage charges.
- (f) The description of the goods or the package containing them.
- (g) The signature of the warehouseman which may be made by his authorized agent.
- (h) If the receipt is issued for goods of which the warehouseman is owner, either solely, or jointly, or in

common with others, the fact of such ownership; and

(i) A statement of the amount of advances made, and liabilities incurred, for which the warehouseman claims a lien. If the precise amount of such advance is made, or if such liabilities incurred are, at the time of the issuance of the receipt, unknown to the warehouseman, or his agent who issues it, a statement of the fact that advances have been made or liabilities incurred, and the purpose thereof, is sufficient.

(j) It shall also state that the corporation guarantees under its bond the weight, class and grade, within approximate limits, of the products for which the receipt may be given, at the time of the issuance of such receipt, and at the elevation of place where such warehouse is located.

(k) Said receipt shall also show the elevation above sea level of the warehouse.

A warehouseman, in addition to his common-law liability, shall be liable to any person damaged thereby for all damages caused by the omission from negotiable receipts of any of the terms herein required.

Sec. 32. A receipt in which it is stated that the goods received will be delivered to the depositor, or to any other specified person, is a negotiable receipt. A non-negotiable receipt shall have plainly placed upon its face, by the warehouseman issuing it, "non-negotiable." A receipt in which it is stated that the goods received will be delivered to the bearer is a negotiable receipt. All receipts shall be numbered consecutively, in the order of their issuance, and a record of such receipt shall be kept at the office of the company. No two receipts bearing the same number shall be issued from the same warehouse during the same year, nor shall any duplicate receipt be issued in case of a lost or destroyed receipt, in which case a new receipt shall be issued, which shall bear the same date and number as the original, and shall be plainly marked on its face "duplicate." In addition to the other provisions each receipt shall have a blank form on the back thereof to be filled in and signed by the owner of the cotton or other products for which it is issued, showing whether a pre-existing and unsatisfied lien of any kind exists against it. If there be a landlord's lien, or any unsatis-

fied lien, or incumbrance, or lien of any kind on said cotton, or other products at the time of its storage, the amount of same shall be clearly set out; and it is made the duty of the manager issuing the receipt to have said blank filled in and signed by the owner of the cotton, or other products, before issuing a negotiable receipt for the same; provided, however, such statement may not be made if a non-negotiable receipt is desired. When cotton grown on rented or leased premises is tendered for storage in a State warehouse, in addition to the foregoing instruments, all receipts issued therefor shall be issued jointly, in the name of the owner and the landlord, showing their respective interests in such cotton, unless the tenant or person storing the same presents authority from the landlord or from the tenant, as the case may be, requesting the issuance of the receipt in the name of the one or the other, which request shall be in writing, and filed with the manager of the warehouse. If the person holding a non-negotiable receipt shall desire to obtain a negotiable receipt in lieu thereof, he shall return the negotiable receipt to the warehouse issuing the same, and thereupon shall comply in every respect with the provisions of this act relating to negotiable receipts, and upon compliance with which a negotiable receipt shall be issued to him in lieu of the non-negotiable receipt. When a non-negotiable receipt is surrendered or cancelled, the word "cancelled" shall be plainly marked or stamped, in ink, across the face thereof. No warehouse receipt shall be issued except on the actual previous delivery of the goods in the warehouse, or on the premises under the control of the manager thereof.

Sec. 33. Upon the presentation and return to the warehouse of any warehouse receipt issued by the manager, and properly endorsed and the tender of all proper warehouse charges upon the property presented to it, such property shall be delivered immediately to the holder of such receipt; but the manager of such warehouse shall not, under any circumstances, or upon any order or guarantee deliver the property upon which said receipts were issued, until such receipts have been delivered and cancelled, except in case of lost receipts. Any such receipt, when returned and cancelled, shall be kept by the man-

ager in his office, until ordered destroyed by the directors, for one year from date of cancellation. Upon delivery of goods in a warehouse, upon any receipt, such receipt shall be plainly marked or stamped in ink, across its face, the word "cancelled," together with the name of the manager cancelling the same; and shall thereafter be void and shall not again be put into circulation.

Sec. 34. A negotiable receipt issued against goods or products stored in a warehouse, under this act, shall be negotiable and transferable by endorsement in blank, or by special endorsement and delivery in the same manner and to the same extent as bills of exchange and promissory notes now are, without any other formality; and the transferee or holder of such warehouse receipt shall be considered and held as actual and exclusive owner, to all intents and purposes, of the property therein described, subject only to lien and privileges of the warehouse for storage, insurance, and other warehouse charges; provided, however, that all such warehouse receipts shall have the word "non-negotiable" plainly marked or stamped on the face thereof, shall be exempt from the provisions of this section.

Sec. 35. It shall be the duty of the Commissioner to prescribe all the forms of receipts, certificates, and records, of whatsoever description necessary in the conduct of warehouses under this act; but all such receipts, certificates, and forms, shall be drawn in accordance with the terms of this act. All warehouse receipts shall be of uniform character, in the same class as prescribed by the Commissioner.

Sec. 36. A warehouseman's lien for a claim which has become due may be satisfied as follows: The warehouseman shall give written notice to the person on whose account the goods are held, and to any other person known by the warehouseman to claim any interest in the goods. Such notice shall be given by delivery in person or by registered letter, addressed to the last known place of business, or at the abode of the person to be notified. The notice shall contain:

(a). An itemized statement of the warehouseman's claim, showing the sum due at the time of the notice, and the date or dates when it became due.

(b). A brief description of the goods against which the lien exists.

(c). A demand that the amount of the claim, as stated in the notice, and of such further claim as shall accrue, shall be paid on or before a day mentioned, not less than ten days from delivery of the notice, if it is personally delivered, or from time to time, when the notice should reach its destination, according to the due course of the post, if the notice be sent by mail; and

(d). A statement that unless the claim is paid within the time specified, the goods will be delivered for sale and sold by auction, at a specified time and place.

In accordance with the terms of the notice so given, a sale of the goods by auction may be had to satisfy any valid claim of the warehouseman for which he has a lien on the goods. The sale shall be had in the place where the lien is acquired, or, if such place is manifestly unsuitable for the purpose, at the nearest suitable place. After the time for the payment of the claim specified in the notice to the depositor has elapsed, an advertisement of the sale shall be published in a newspaper in the place where such sale shall be held, describing the goods to be sold, and stating the name of the owner or person on whose account the goods are held, and the time and place of the sale. Such publication shall be for not less than two weeks prior to the date of the sale, and no publication fee shall be charged in excess of the rate now allowed by statute for the publication of legal notices. The sale shall not be held less than fifteen days from the time of the first publication. If there is no newspaper published in such place, the advertisement shall be posted at least ten days before such sale, at four different places in the community, and one such notice shall be placed at the court house of the county in which the warehouse is located. From the proceeds of such sale the warehouseman shall satisfy his lien, including the reasonable charges of notice, advertisement and sale; the balance, if any, of such proceeds shall be held in the warehouse, and delivered on demand, to the person to whom he would have been bound to deliver, or justified in delivering, the goods. At any time before the goods are sold any person claiming a right of property or possession in them may pay the warehouseman the amount necessary to justify his lien, and to pay the reason-

able expenses and liabilities incurred in serving notice and advertising and preparing for the sale up to the time of such payment. The warehouseman shall deliver the goods to the person making such payment, if he is a person entitled, under the provisions of this act, to their possession, on payment of the charges thereon, otherwise, the warehouseman shall retain possession of the goods, according to the terms of the original contract of deposit. If any such goods are delivered to any such person, and the warehouseman desires it, he may require a bond of indemnity as protection from claims of other persons.

Sec. 37. The Commissioner shall appoint three citizens of the State, who have not less than five years' experience as graders and classers of cotton and who are otherwise qualified, who shall constitute a Board of Examiners, whose duty it shall be to examine applicants for license as public cotton classers. Said board shall assemble at such times and places as they may, be called together by the Commissioner, for the purpose of examining applicants for license as public cotton classers.

Sec. 38. Applicants for license as public cotton classers shall apply to said board, through the Commissioner, in such form as may be designated by him, and shall furnish evidence of their good moral character, and of the experience they have had in the grading and classing of cotton. At a meeting of the board, said applicants shall be examined, touching their qualifications as cotton classers, and shall show such a degree of proficiency as may be required by the Board to entitle them to be appointed as public cotton classers. Those successful in the examination prescribed by the board shall be issued a license as "Public Cotton Classifier," which license shall be signed by the board and attested by the signature and seal of the Commissioner of Markets and Warehouses. The Commissioner and the board shall fix the amount of the examination fee to be paid by the applicants, which amount shall be retained by the board as their compensation, regardless of the success of the applicant in his examination; and the board shall receive no compensation from the State. All public cotton classers shall have the right, at any place within the State

of Texas, to engage in the business of public cotton classers authorized to class cotton generally, and to charge for their services. Hereafter, no person shall be permitted to engage in the business as a public cotton classifier, classing cotton for the public generally, without holding a license as a public cotton classifier. Anyone violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine in any sum not exceeding one hundred (\$100.00) dollars. This Act shall not affect the right of anyone to class his own cotton, or of any cotton buyer or other person to class cotton purchased by him for himself, or purchased for another, but applies only to those engaged in the business of classing cotton generally for the public. Each public cotton classifier shall keep a complete record of cotton classed, in a well bound book, and shall issue a certificate to each person showing the class of cotton classed by him. He shall also keep on hand a set of the United States Standards of Cotton Grades, and his books, records, and cotton standards shall be open to inspection at all reasonable hours.

Sec. 39. Before a license shall be issued to any person, he shall file a bond with the Commissioner, in the sum of one thousand (\$1,000.00) dollars, which bond shall be so conditioned as to bond its maker and his sureties to guarantee as approximately correct his work in classing and grading cotton, and the approximate correctness of each statement in every certificate of class and grade he may issue or cause to be issued. It shall also bind the maker and his sureties to fully and promptly indemnify any person who may sustain financial loss by reason of any false class or grade he may make, or by reason of any untrue or misleading certificate issued by him, or under his authority, with intent to defraud.

Sec. 40. A certificate of classification of cotton issued by any person under authority of this Act shall be accepted in all courts of this State as prima facie evidence of the facts stated therein. The Commissioner may appoint other boards of examiners to examine applicants who may desire to become classers of other farm, ranch, or orchard products, and all such boards and public classers shall be governed by

this Act, in so far as it will apply.

Sec. 41. The sum of one hundred thousand (\$100,000.00) dollars, or so much thereof as may be necessary, is hereby appropriated out of any sums not heretofore appropriated to be expended by the Commission created under the terms and provisions of this Act, for the purpose of aiding the farmers, bankers, and business men of this State in disposing of the present stocks of low grade cotton now on hand, and for which there is no market. The Commission herein created shall have power and authority, and it shall be their duty through the Commissioner of Markets and Warehouses, to employ such expert assistants and market men as they deem necessary, at such salaries as they shall deem proper and necessary to pay, in order that they may render this immediate service to the people of the State. They shall have authority to pay such necessary traveling expenses for any of their employes engaged in this work of this fund as hereby appropriated, as may be found necessary. All the employes herein mentioned under this emergency appropriation shall be under the control of the Commission and subject to the rules and regulations of the Commission.

PENALTIES.

Sec. 42. Should any person operating a cotton gin in this State, either for himself or for another, fail to do anything required of a ginner, under the terms and requirements of this Act, or by the rules of the Commissioner, such person shall be guilty of a misdemeanor, and upon conviction thereof shall be fined as provided in this Act.

Sec. 43. Any person who shall conduct any business for himself, or for another, for which a license is required under the terms of this Act, without having first obtained such license, shall be guilty of a misdemeanor and upon conviction thereof shall be punished as herein provided.

Sec. 44. If a license is issued to any person, or association of persons, or a corporation, under authority of this Act, and if such license is thereafter licensed or revoked, it shall be unlawful for the licensee therein mentioned to resume or continue to pursue such occupation until a new license is obtained by him, them, or it. The person so offending shall be guilty of a misdemeanor, and upon

conviction shall be punished as herein provided.

HOW BONDS ARE MADE.

Sec. 45. Each kind of bonds required by any provision of this Act may be made with private persons, or bonding companies, as sureties; all such bonds shall be filed with the Commissioner and approved by him. All such bonds shall be payable to the State of Texas for the use and benefit of any person who may be damaged by a breach of its conditions, but it shall not be necessary to join the State in any suit on any such bonds. The venue of suits on all such bonds as are provided herein shall be that of the venue statutes of this State. Should any such bond become impaired, by suit or otherwise, the Commissioner may, by written notice to the maker, require such impairments to be made good. If any such impairment is not made good to the satisfaction of the Commissioner, within a reasonable time after notice, which time shall in no event exceed thirty days, the license under which the maker of such impaired bond has been acting shall then and thereafter stand revoked and cancelled.

PENALTIES.

Sec. 46. If any person shall issue, or cause to be issued, any certificate of sample, weight, grade, or class, of any cotton or other farm products for commercial purposes with intent to deceive or defraud, such person shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than twenty-five (\$25.00) dollars, nor more than two hundred (\$200.00) dollars, and each instrument so issued shall constitute a separate offense.

Sec. 47. If any person shall forge any warehouse receipt, or if any person shall knowingly negotiate a forged warehouse receipt, issued under and by authority of this Act, he shall be guilty of a felony and upon conviction thereof shall be punished by a fine of not less than one hundred (\$100.00) dollars, nor more than one thousand (\$1,000.00) dollars, or by imprisonment in the penitentiary for not less than two (2) years nor more than (5) years, or by both such imprisonment and fine.

Sec. 48. Any officer, agent, or servant of a corporation chartered under this Act, who issues, or aids in issuing a receipt, knowing that the goods for which such receipt is issued have not

been actually received by such corporation, or are not under its control at the time of issuing such receipt, shall be guilty of a felony, and upon conviction shall be punished for each offense by imprisonment in the State Penitentiary for not exceeding three (3) years, or by a fine not exceeding Five Thousand (\$5,000.00) Dollars, or by both such fine and imprisonment.

Sec. 49. If any person shall substitute any sample of cotton or other farm products for a sample taken under authority of this act, with intent to defraud, he shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined as provided in the succeeding section.

Sec. 50. If any person shall false-pack any bale of cotton, or other farm products, or give any false or fraudulent certificate of classification, of any cotton or other farm products, with intent to defraud, the person so offending shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than Twenty-five (\$25.00) Dollars, nor more than Two Hundred (\$200.00) Dollars.

Sec. 51. From and after this act takes effect, it shall be unlawful for any person to do or cause to be done any act or anything prohibited by this act, or to fail to do anything required of him under it. The person so offending shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than Twenty-five (\$25.00) Dollars, nor more than Two Hundred (\$200.00) Dollars, unless a different offense and a different penalty is provided by this Act.

LANDLORD'S LIEN PRESERVED.

Sec. 52. The landlord's lien on cotton or other farm products shall continue so long as the same are on storage in any warehouse, whether the same be a warehouse operated under this Act, or a private warehouse, provided a negotiable receipt has not been issued therefor.

Sec. 53. Should any part of this act be held unconstitutional, the remainder of the Act shall be and remain in full force and effect.

Sec. 54. All laws and parts of laws in conflict herewith are hereby repealed, except an act passed at the Regular Session of the Thirty-sixth Legislature and known as the Uniform Warehouse Receipt Act, which act shall remain in full force and ef-

fect, until repealed or amended by the Legislature of the State of Texas; provided, however, that this act shall not be held to terminate or repeal the creation of the Markets and Warehouse Department as now created and organized, but the Board of Warehouse Commissioners hereby created are authorized to carry out the terms and provisions of this Act under the appropriation now existing for the maintenance of the Markets and Warehouse Department.

Sec. 55. The fact that there is now no adequate law by which the present crop of cotton can be economically warehoused and financed, and the further fact that in view of the distressing conditions now surrounding the cotton farmers of this State, that will ultimately result in bankruptcy and ruin; and the further fact that the near approach of the close of this session, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days, be suspended and the same is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

(Floor Report)

Senate Chamber,

Austin, Texas, Oct. 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 33, A bill to be entitled "An Act to amend Section 3, Chapter 60, of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas, as amended in Chapter 44, House Bill No. 107, Acts of the Regular Session of the Thirty-sixth Legislature, so as to make more definite and certain the power of the Commissioners' Court to carry out the existing laws for the eradication of fever-carrying ticks, providing facilities, material and labor; providing funds for same, and declaring an emergency,"

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

DUDLEY, Chairman;
DOROUGH,
BUCHANAN of Scurry.

Committee Room,
Austin, Texas, Oct. 2, 1920.
Hon. W. A. Johnson, President of
the Senate.

Sir: We, your Committee on Finance, to whom was referred House Bill No. 22, have had said bill under consideration, and I am directed by said committee to report same back to the Senate with the recommendation that it do pass, and be not printed.

WESTBROOK, Chairman.

(Floor Report)

Senate Chamber,
Austin, Texas, Oct. 1, 1920.
Hon. W. A. Johnson, President of
the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

H. B. No. 35, A bill to be entitled "An Act providing for appointment by Governor of an Industrial Commission composed of five members, to hear and make reports on controversies between employers and employees; defining its powers and authority; providing that said findings and recommendations by the Commission shall be made to the Governor and furnished to the public and filed with the Legislature of Texas, providing payment of expense and providing an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

BUCHANAN of Scurry, Chairman.

(Floor Report)

Senate Chamber,
Austin, Texas, Oct. 2, 1920.
Hon. W. A. Johnson, President of
the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 27, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Shelby County, Texas, etc."

Have had the same under consideration and report same back to the Senate with the recommendation that it do pass and be not printed.

DOROUGH, Chairman.
WILLIFORD.
WITT.
RECTOR.

Committee Room,
Austin, Texas, Oct. 2, 1920.
Hon. W. A. Johnson, President of
the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 28, has had same under consideration and I am directed to report it favorably with the recommendation that it be not printed and that it do pass.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Oct. 2, 1920.
Hon. W. A. Johnson, President of
the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 29, has had same under consideration and I am directed to report it favorably with the recommendation that it be not printed and that it do pass.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Oct. 2, 1920.
Hon. W. A. Johnson, President of the
Senate.

Sir: We, your committee on Education, to whom was referred House Bill No. 26, has had same under consideration and I am directed to report it favorably with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

(Floor Report)

Senate Chamber,
Austin, Texas, Oct 2, 1920.
Hon. W. A. Johnson, President of
the Senate.

Dear Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 23, A bill to be entitled "An Act relating to the protection of wild fowls of the counties of Dimmitt, etc."

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

SUITER, Chairman;
BUCHANAN of Scurry,
DOROUGH,
COUSINS,
WITT.

(Floor Report)

Senate Chamber,
Austin, Texas, Oct. 2, 1920.
Hon. W. A. Johnson, President of
the Senate.

Dear Sir: We, your Committee on

Criminal Jurisprudence, to whom was referred

H. B. No. 36, A bill to be entitled "An Act to levy an annual occupation tax upon emigrant agents and etc.,"

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

SUITER, Chairman;
BUCHANAN of Scurry,
DOROUGH,
COUSINS,
WITT.

(Floor Report)

Senate Chamber,
Austin, Texas, Oct. 2, 1920.

Hon. W. A. Johnson, president of the Senate.

Dear Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 37, A bill to be entitled "An Act to regulate the business of emigrant agents and, etc.,"

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

SUITER, Chairman;
BUCHANAN of Scurry,
DOROUGH,
COUSINS,
WITT.

Report of Conference Committee on Senate Bill No. 1.

Committee Room,
Austin, Texas, Oct. 1, 1920.

Hon. W. A. Johnson, President of the Senate.

Hon. R. E. Thomason, Speaker of the House.

Gentlemen: We, your Free Conference Committee on Senate Bill No. 1, recommend the adoption of Senate Bill No. 1 with the following amendments:

Amend said bill by striking out all after Section 4 thereof and substituting the following:

Section 4A. Any qualified elector, as defined by the statutes of this State, who expects to be absent from the county of his or her residence, and at any other place in this State, on the day of his or her election may vote subject to the following conditions, to-wit:

At some time not more than ten days nor less than three days prior to the date of such election such elector shall make his or her personal appearance before the county clerk of the county of his or her residence, and if personally unknown to such clerk, shall be identified by at least two reputable citizens of such county, and shall deliver to such clerk his or her poll tax receipt or exemption certificate, entitling him or her to vote at such election, and said clerk shall deliver to such elector one ballot which has been prepared in accordance with the law for use in such election, which shall then and there be marked by said elector apart and without the assistance or suggestions of any other person, in such manner as said elector shall desire same to be voted, which ballot shall be folded and placed in a sealed envelope and delivered to said clerk who shall keep the same so sealed, and who shall also keep said poll tax receipt or certificate open to the inspection of any person who may wish to examine or see same until the second day prior to said election, and said clerk shall on said second day place the said poll tax receipt or certificate, together with the said sealed envelope containing said marked ballot in another envelope which shall be by said clerk then mailed to the presiding judge of the voting precinct in which said elector lives. The postage for the entire correspondence herein made necessary to be provided by said elector. In the presence of the election officers provided by law, and on the day of such election and between the hours of two and three o'clock the said presiding judge of same in the precinct of the residence of said elector shall open the envelope containing said poll tax receipts and marked ballots and publicly announce that the ballot of such named elector is proposed to be cast, at which time any person who desires to challenge said vote and the right of same to be cast shall be heard to present such challenge, and if there be no challenge of same, said vote shall be cast and counted according to the law; but if there be any challenge of such vote for legal cause, same shall be heard and decided according to the law provided in the case of challenge; and in case no challenge is made, such poll tax receipt, after same is marked "voted" as provided by law, shall be mailed

back to the said county clerk. But in case of challenge, if challenged, such poll tax receipt together with affidavits relating thereto, shall be mailed by said judge of election to the county clerk of such county, who shall keep same for thirty days, and if no demand be made for the production of same before any body or person in authority within said time, said county clerk shall deliver such receipt to the owners thereof. When voted the judge of election shall mark opposite the name of such absentee voter the word "Absentee." If any person wishing to vote as an absentee voter shall violate any of the provisions of this law, or shall vote or offer to vote illegally, or in any case or at any place where he or she is not entitled to vote, or who shall make any false representation in any effort to be allowed to vote, or who shall attempt to vote on any poll tax receipt issued to any person other than himself or herself, shall be deemed guilty of a violation of the law and upon conviction shall be punished by fine not more than one thousand dollars or by imprisonment in the county jail not more than two years or by both such fine and imprisonment; provided, however, that the right of absentee voting herein given shall apply to any and all primary elections only.

Sec. 5. The poll tax herein levied shall apply to women as well as to men, and every person who has been made a qualified voter in this State under the Nineteenth Amendment to the Constitution of the United States and who was over twenty-one years of age and under sixty years of age on the 1st day of January, A. D. 1920, must pay the poll tax herein levied prior to the 1st day of February, 1921, in order to participate in elections, general, special or primary, held within this State or any subdivision or municipality thereof between the 1st day of February, 1921, and the 31st day of January, 1922, both dates inclusive.

Sec. 6. All persons, both male and female, who have heretofore paid the poll tax or secured exemption certificate required by existing laws for voting in primary or general elections held within the State of Texas for the year 1920, and all persons, both male and female, who were over the age of sixty years on the 1st day of January, 1919, and who do not reside within cities of ten thou-

sand inhabitants or over, shall be entitled to vote in all elections within the State of Texas which may be held prior to the 1st day of February, 1921.

Sec. 7. All persons, male and female, who possess the qualifications of a voter within this State under the Constitution and laws of the United States, but who have not heretofore paid a poll tax within the time prescribed by the laws of this State in order to entitle them, if they had been otherwise qualified, to vote, shall have and are hereby granted until the 22nd day of October, A. D. 1920, in which to pay the poll tax of the same amount heretofore collected from male persons only as a prerequisite to voting in elections held in this State prior to February 1st, A. D. 1921, which tax when so paid shall entitle the persons paying the same to a poll tax receipt and shall entitle the holder thereof to vote in the general election in November, 1920, and in all other elections, general, special, municipal and primary, held within this State prior to the 1st day of February, A. D. 1921,—subject, however, to all other rules and restrictions now provided by the laws governing elections.

Sec. 8. All persons resident within this State on the 1st day of January, A. D. 1920, and who were on said last named date over the age of sixty-one years, and all such persons who have become twenty-one years of age since January 1st, A. D. 1920, shall, if otherwise qualified under existing laws, be entitled to vote in all elections mentioned in the preceding sections of this Act, by obtaining prior to October 22, 1920, exemption certificates of the same kind now prescribed by the election laws of this State; provided, however, that all persons residing within this State on the 1st day of January, A. D. 1920, and who were more than sixty years of age on the 1st day of January, A. D. 1919, and who do not live in cities of ten thousand inhabitants or over, and who are otherwise qualified, may participate in elections, general, special, municipal and primary, held within this State prior to February 1st, 1921, without obtaining exemption certificates; and provided further that discharged soldiers, sailors and marines whose poll taxes were remitted by Act of the thirty-sixth Legislature passed at

the First Called Session thereof, and approved on the 6th day of May, A. D. 1919, and known as Chapter 3 of the Acts of the First Called Session of the Thirty-sixth Legislature, may vote as provided for in said act without obtaining exemption certificates.

Sec. 9. The tax collectors of the various counties in this State shall issue poll tax receipts and exemption certificates to all persons entitled under the provisions of Sections 7 and 8 of this act to receive the same, and who apply therefor prior to October 22nd, 1920.

Sec. 10. Prior to the 28th day of October, 1920, the County Tax Collector of each county shall deliver to the board that is charged with the duty, under the general election laws of this State, of furnishing election supplies, separate certified lists of the persons in each precinct who have paid their poll tax or obtained exemption certificates as permitted or required under Sections 7 and 8 of this Act, the names being arranged in alphabetical order, and to each name the proper number as shown by the duplicate, with description of the voter as to his residence, voting precinct, length of residence in State and county, race, occupation and address, or if the voter resides in an incorporated city, the ward and street and number of the voter's residence, if numbered.

If the county has any unorganized county or counties attached to it for judicial purposes, the collector of taxes shall furnish to said board, before October 28th, as many certified lists of the electors resident in such unorganized county or counties as there are election precincts in such unorganized county, which lists as respects poll tax receipts and exemption certificates shall be identical with those required for poll tax receipts and exemption certificates under prior laws. Said board shall furnish each presiding judge of the precinct a certified list of the voters of his precinct who have complied with the provisions of this Act, and at the same time that other election supplies are furnished, and such lists of qualified voters shall be in the form required by Article 2961, Revised Civil Statutes of 1911.

Sec. 11. The County Tax Collector of each county in the State shall keep securely in a safe place the dupli-

cates for each precinct from which the said poll tax receipts and exemption certificates have been detached, and they must remain there except when taken out for examination, which must always be done in his presence, but they shall be burned by the county judge at the expiration of one year, if no election contest shall have in the meantime been instituted.

Sec. 12. On or before the 31st day of October, A. D. 1920, the collector of taxes in each county in this State shall make statement to the county clerk showing how many poll tax receipts and exemption certificates he has issued under the provisions of Sections 7 and 8 of this Act, and to whom issued, in which voting precinct in the county, and such statement shall become a record of the county and as such shall be kept by the county clerk.

Sec. 13. The poll taxes collected by virtue of this Act shall be and are hereby set aside to the State and county and to the particular funds thereof as now prescribed by law for poll taxes heretofore collected.

Sec. 14. This Act shall be construed as being cumulative to the election laws of this State now in force, except that in case of conflict this Act shall control.

Sec. 15. The fact that the general election for the year 1920 is to be held in less than ninety days from the date of the adjournment of this session of the Legislature creates an emergency and an imperative public necessity that the Constitutional rule requiring that bills be read on three successive days be suspended and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Amend Section 4 of said Senate Bill No. 1 by adding after the word "he" wherever it occurs in said section the words "or she," and by adding after the word "his" wherever it occurs in said section the words "or her."

Amend said Senate Bill No. 1 by striking out the caption and inserting a new caption as follows:

"A Bill to be entitled An Act to amend Article 7354, Chapter 1, Title 126, Revised Civil Statutes of Texas, and Article 2942, Chapter 4, Title 49, Revised Civil Statutes of Texas,

and Article 2943, Chapter 4, Revised Civil Statutes of Texas, and Article 2939, Chapter 4, Title 49, Revised Civil Statutes of Texas, all of which articles relate to the levying and collecting of a poll tax and fixing the qualifications of voters so as to eliminate from the provisions of all of the said articles the word "male" and so as to levy and collect from all persons, both male and female, within certain ages, poll taxes, and fixing the qualifications of voters so as to include all persons, both male and female; providing for the payment of poll taxes by certain persons, male and female, desiring to pay the same in order to vote in elections held in this state prior to February 1st, A. D. 1921; providing for the issuance of exemption certificates in certain cases; prescribing who may vote in the elections held in this state prior to February 1st, 1921; providing penalties for violations of certain of the provisions of this act; providing that nothing herein shall repeal or affect any of the provisions of Article 3 of the General Laws of the First Called Session of the Thirty-sixth Legislature, approved May 9th, 1919, and declaring an emergency."

DEAN.

DAYTON.

GIBSON.

BUCHANAN of Scurry.

DUDLEY.

On the part of the Senate.

JOHNSON of Travis.

CURTIS,

DAVIS,

SATTERWHITE,

On the part of the House.

Report of Conference Committee on House Bill No. 6.

Committee Room,

Austin, Texas, Oct. 2, 1920.

Hon. W. A. Johnson, President of
the Senate,

Hon. R. E. Thomason, Speaker of
the House of Representatives of
the State of Texas.

Sirs: We, your Free Conference Committee, appointed on the part of the Senate and House to consider House Bill No. 6, and adjust the differences between the Senate and the House on the same, beg leave to report that we have met and adjusted the differences between said House

and Senate and recommend the passage of House Bill No. 6 with amendments thereto placed on the same by the House and further amendments added thereto by this committee, so that said House Bill No. 6 shall hereafter read in words, letters and figures as follows, to-wit:

By Fly, Sackett and John Davis: H. B. No. 6.

A BILL

To Be Entitled

An Act to protect and facilitate the movement of commerce by common carriers within this State, defining the word "commerce" and the words "common carriers," making it unlawful for any person, association of persons, firm, corporation or individual to interfere with any person engaged in the work of handling or moving or transporting any commerce by such common carriers, prescribing punishment to be assessed against the person convicted of such offense, providing for the venue and change of venue, and finding of bills of indictments by grand juries other than the grand juries in the county where such offense occurs; empowers the Governor to protect the movement of such commerce by such common carriers by the use of Texas Rangers, either regularly or specially appointed, providing for the prosecution of persons charged with the violation of this Act by the Attorney General of the State of Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The words "Common Carrier" for the purposes of this Act are defined and shall be construed to mean any railway corporation, any express company, any interurban railway company, any street car company, any ship, dock, wharf company, any pipe line company, engaged in the transportation of freight, express or passengers.

Sec. 2. The word "commerce" for the purposes of this Act is defined and shall be construed to mean any freight, express or passengers being handled or transported by any common carrier as herein defined.

Sec. 3. The uninterrupted management, control and operation of the common carriers of this State is declared to be of vital importance to the welfare of the people of this

State. It is therefore declared to be the policy of this State that the same shall not be impeded or interfered with by any person, association of persons, individually or collectively, or by any corporation, its agents or employees.

Sec. 4. It shall be unlawful for any person or persons by or through the use of any physical violence or by threatening the use of any physical violence, or by intimidation or threatening destruction of his property to interfere with or molest or harass any person or persons engaged in the work of loading or unloading or transporting any commerce within this State.

Sec. 5. It shall be unlawful for any two or more persons to conspire together to prevent or attempt to prevent by the use of act of physical violence or intimidation or by threats of physical violence or by abusive language spoken or written, to any person engaged in loading or unloading or transporting any commerce within this State or performing the duties of such employment.

Sec. 6. Every person who shall through any act or written communication or conversation with any person or persons engaged in loading, unloading or transporting any commerce by any common carrier in Texas or with the father, mother, wife, sister, brother, child or children of such person or persons while so engaged or during the hours of day or night while not engaged in such work and when employed for such work which is reasonably calculated, intended or designed to cause such person or persons so engaged to desist from performing such work through fear of physical violence or destruction of his property shall be deemed to have intimidated, molested or harassed such person or persons engaged in the work of loading or unloading or transporting commerce within this State.

Sec. 7. The term "Person or persons engaged in the work of loading or unloading or transporting commerce in this State" as used in this Act shall be construed as including any person or persons employed in any way in the docks, wharves, switches, railroad tracks, express companies, compresses, depots, freight depots, pipe lines, or approaches or appurtenances to or incident to or used in connection with the handling of

commerce by common carriers within this State. This Section by naming certain occupations and work shall not be construed to exclude any other occupations or work not named, but reasonably incident to and necessary for the transportation of commerce in this State by common carriers.

Sec. 8. The provisions of this Act shall not apply to peace officers in the discharge of their lawful duties.

Sec. 9. Any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$100.00, nor more than \$1000.00, or by imprisonment in the county jail for a term of not less than thirty days nor more than one year, or by both such fine and imprisonment; provided, however, should any person violating any of the provisions of this Act use any physical violence upon, or threaten the life of any person engaged in the work of loading or unloading, or transporting any commerce, as defined in this Act, he shall be deemed guilty of a felony, and upon conviction thereof shall be punished by confinement in the State penitentiary for a term of not less than one year or more than five years.

Sec. 10. If at any time the movement of commerce by common carriers of this State or any of them is interfered with in violation of the provisions of this Act, and the Governor of this State after investigation becomes convinced that the local authorities were failing to enforce the law, either because they were unable or unwilling to do so, the Governor shall, in order that the movement of commerce may not be interfered with, forthwith issue his proclamation declaring such conditions to exist and describing the area thus affected.

Sec. 11. Upon the issuance of the proclamation provided for in the preceding section, the Governor shall exercise full and complete police jurisdiction of the area described in the proclamation, whether the same be all within or partly within, or partly without the limits of any incorporated city or county; the exercise of said police jurisdiction by the Governor, as above set out, shall supersede all police authority by any and all local authority, provided that the Governor shall not disturb the local authorities in the exercise of

police jurisdiction at any place outside the district described in his proclamation.

Sec. 12. No peace officer of the State of Texas shall be permitted to make arrests after the Governor's proclamation has become effective, in the territory embraced by such proclamation, except officers acting under the authority of the Governor under the provisions of this Act. Persons arrested within the district shall be delivered forthwith to the proper authorities for trial.

Sec. 13. Indictment for violation of the provisions of this Act may be returned by the grand jury of the county in which the violation occurs, or by the grand jury of any county adjoining the county in which the territory embraced in the Governor's proclamation is situated. Any person indicted may be prosecuted and tried in the county in which the indictment is returned, but no indictment shall be returned in any county except where the offense occurred, until after the Governor has issued his proclamation as provided for herein. Provided that nothing in this Act as to change of venue shall in any manner abridge the right of the defendant to apply for and secure a change of venue under the existing laws of this State, the same as if the indictment had been returned to the county where the offense is alleged to have been committed.

Sec. 14. When the provisions of this Act have been violated by any person or persons and the grand jury of the county in which the offense was committed have returned an indictment the district judge in whose court the indictment may be returned shall grant a change of venue upon motion made by the Attorney General representing this State, or at his direction, or by the local prosecuting attorney. The motion for a change of venue shall be sufficient if it sets out that the offense charged is prohibited by the provisions of this Act, and that on account of local conditions, preferences, prejudices or influence, it is the opinion of the Attorney General that a fair and impartial trial cannot be had in the county where the indictment is found. Upon the filing and presenting of such motion it will be the duty of the district judge in whose court such case may be pending to immediately issue a

proper order changing the venue of such case to such other county as the court may select not subject in the opinion of the Attorney General to like conditions and objections.

Sec. 15. The Attorney General, when directed by the Governor, shall assist the district or county attorney in the prosecution of all offenses committed within the territory embraced by said proclamation and for all violations of the provisions of this Act.

Sec. 16. The provisions of this Act shall be effective without a declaration of martial law. The State Rangers may be used in the enforcement of the provisions of this Act; if a sufficient number of Rangers are not available the Governor is authorized to employ any number of men to be designated as special Rangers and such men shall have all the power and authority of the Regular Rangers, and shall be paid the same salary as the Rangers are paid, and such salaries shall be paid out of the appropriation made to the executive office for the payment of rewards and the enforcement of the law.

Sec. 17. Nothing in this Act shall be construed as limiting the power and authority of the Governor to declare martial law, and to call forth the militia for the purpose of executing the law when in the judgment of the chief executive it is deemed necessary so to do. This Act shall be construed as cumulative of existing laws of this State, and shall not be held to repeal any of the same except where in direct conflict herewith.

Sec. 18. The great importance of the expeditious transportation of commerce of this State and the unrestricted movement thereof by the common carriers of this State and the dependence of the people of this State upon such movement of commerce and the near approach of the end of this special session of the Legislature creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days be suspended and this Act shall take effect and be in force from and after its passage and it is so enacted.

Respectfully submitted,

FLY,

HALL,

WILLIAMS of McLennan,

M'DOWRA,
On the part of the House.
PAGE,
BUCHANAN of Bell,
CARLOCK,
On the part of the Senate.

Report of the Free Conference Committee on House Bill No. 22.

Hon. R. E. Thomason, Speaker of the House of Representatives,

Hon. W. A. Johnson, President of the Senate.

Sirs: Your Joint Conference Committee on House Bill No. 22 beg leave to advise that we have held a meeting and have agreed on the following amendment to Senate amendment to House Bill No. 22:

"Amend House Bill No. 22 by adding thereto the following: The sum of Ten Thousand (\$10,000) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the General Revenue of the State not otherwise appropriated to pay the expenses and per diem of a commission of two, one to be Hon. W. F. Ramsey, agent and chairman of the board of directors of the Federal Reserve Bank of the Eleventh District, and the other to be appointed by the Governor of Texas, for the purpose of assisting in marketing the cotton crop of Texas. Said commission to be invested with power to visit local and foreign markets and do any and all things in the assistance of marketing said cotton crop of Texas. Said committee to be paid ten (\$10.00) dollars per day each, and actual expenses, same to be paid by the Treasurer of Texas on warrants drawn by the Comptroller and certified vouchers to accompany statements of per diem and expenses of the said commission to the Comptroller."

Respectfully submitted,

McMILLIN,
STEPHENS,
BARRETT of Bell,
BEASLEY,
Members on part of the House

WESTBROOK,
DAYTON,
CALDWELL,
DEAN,
HERTZBERG,
Members on part of the Senate.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, Oct. 1, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Bill No. 11, and find the same correctly enrolled and have this day at 3:35 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Dudley. S. B. No. 11.

**A BILL
To Be Entitled**

An Act authorizing the owner or owners of an oil and gas permit heretofore issued by the State of Texas covering University land, who, individually or in co-operation with the holders of permits covering other University land, has or have performed certain development work thereunder, to designate within sixty days from the date this Act takes effect what shall be known as a University land oil and gas development area to consist of not to exceed six contiguous blocks of University land; providing for the extension of permits covering the lands included in such area for a period of five years from the date of the last permit issued on land included therein, and providing that all development work may be commenced and completed within said time; providing for the issuance of leases on certain quantities of land included in such area if oil or gas in commercial quantities is discovered thereon during the life of such development area; providing that this Act shall not apply to school land; repealing all Acts and parts of Acts in conflict herewith; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The owner or owners of a permit heretofore issued by the State of Texas permitting the holder or holders to prospect for oil and gas on University land under the provisions of the existing laws, who, at the time this Act takes effect, individually or in co-operation with the holders of permits covering other University land, at some point upon the land covered by such permit, has or have drilled a well to a depth of

at least 2,000 feet, shall have the privilege of filing with the Commissioner of the General Land Office, within sixty days from the date upon which this Act goes into effect, an instrument in writing designating what shall be called a University land oil and gas development area, which area shall consist of not to exceed six contiguous blocks of University land; provided that the holders of the permit covering land included in such development area, prior to the designation thereof, shall have directly or indirectly contributed to the expense of, or co-operated in the drilling of the above mentioned well, or an additional well or wells located or to be located within said area. Said instrument shall be signed and acknowledged by the owner or owners of the permit covering the land on which said well has been drilled and a filing fee of one dollar shall be paid the Commissioner of the General Land Office for filing the same. There shall be included in such instrument, or attached thereto, an affidavit of at least three credible persons, citizens of the State of Texas, showing the existence of the facts required for the designation of such development area.

Sec. 2. From and after the designation of any such University land oil and gas development area, all permits covering land therein which at the time of such designation are still in force, upon the payment in advance of the ten cents per acre per annum as now provided by law, may continue in force for a term not to exceed five years from the date of the last permit issued on any of the land included in any such development area, and all development work may be commenced and completed within the said period of five years; provided, if such payment should not be so made on any permit included in such area, such permit in arrears shall be cancelled by the Commissioner of the General Land Office.

Sec. 3. Should oil or gas in commercial quantities be discovered during the life of such development area or a portion thereof, a lease may be issued on one or more contiguous permits not to exceed sixteen sections, for each discovery well as now provided by law. The owner or owners of a permit or permits within such development area may relinquish one or more whole sec-

tions or the equivalent thereof, in a solid body of regular form at any time before applying for a lease by having the relinquishment recorded in the County where the land is located and filed in the General Land Office, accompanied by a filing fee of One Dollar.

Sec. 4. This act is not intended to and shall not be construed to apply to public free school land.

Sec. 5. All laws and parts of laws that conflict with this act are hereby repealed.

Sec. 6. The fact that it is practically impossible to secure the proper development of the oil and gas in the State University land under the present law, a development which is highly desirable and greatly needed at this time, and the near approach of the close of this session creates an emergency, and an imperative public necessity exists that the constitutional rule that requires bills to be read on three several days in each house be suspended, and that this Act take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, October 1, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 20

and find the same correctly enrolled and have this day at 5:10 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Bledsoe.

S. B. No. 20.

A BILL

To Be Entitled.

An Act amending Section No. 1 and Section No. 7 of an Act entitled "An Act creating the Perryton Independent School District in Ochiltree County, Texas, and defining its boundaries; providing for the creation of a board of trustees to manage and control the public free schools within said district; their mode of election and tenure of office; conferring upon said trustees all the rights, powers and privileges and imposing all the duties now conferred and imposed by the general laws of the State upon independent districts and the board

of trustees, etc.," passed at the third called session of the Thirty-sixth Legislature and approved the 18th day of June, 1920, so as to provide and define the boundaries of said district and providing for the creation of a board of trustees to manage and control the public free schools within said district, their mode of election and tenure of office, conferring upon said trustees all the rights, powers and privileges and imposing all the duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. That Section one and Section seven of the Act entitled "An Act creating the Perryton Independent School District in Ochiltree County, Texas, and defining its boundaries, etc.," passed at the third called session of the Thirty-sixth Legislature and approved the 18th day of June, 1920, be amended so as to hereafter read as follows:

Section 1. That an independent school district is hereby created and established in Ochiltree County, Texas, to be known as the "Perryton Independent School District," including within its limits the following described territory with metes and bounds as follows:

Beginning at the northwest corner of Ochiltree County, Texas, for the northwest corner of this district: Thence south on the west line of said Ochiltree County to a point where said county line intersects the north line of Survey No. 43 in Block 4T; Thence east on section lines to a point opposite the northeast corner of Section 47 in Block 4T in the west line of Block JT; Thence south with Section lines to the southwest corner of Section 15, in Block JT; Thence east with Section lines to the northeast corner of Section 66 in Block 13; Thence south with section lines to the southwest corner of Section 81, Block 13; Thence east on section lines to the southeast corner of Section 399 in Block 43; Thence north with section lines to the southeast corner of Section 746 in Block 43; Thence east with section lines to the Ochiltree-Lipscomb county line, the

same being the northeast corner of Section 674, same block; Thence north on said county line to the northeast corner of Section 999, Block 43; Thence west on section lines to the southwest corner of Section 1021, Block 43; Thence north on section lines to the northeast corner of Section 1093 in Block 43; Thence west to the northwest corner of said Section 1093; Thence north on section lines to the northeast corner of Section 1182, same block; Thence west on section lines to the southeast corner of Section 139 in Block No. 10; Thence north on section lines to the northeast corner of Section 38 in Block 10; Thence west on section lines to the southeast corner of Section 7, Block 2; Thence north on section line to the northeast corner of said Survey No. 7; Thence west on the north line of Ochiltree County to the place of beginning.

Section 7. Within twenty days after the taking effect of this Act the county judge of Ochiltree County shall order an election to be held within said district for the purpose of electing trustees of said Perryton Independent school District. The county judge shall give notice of said election by posting notices thereof at three public places within the district at least ten days before the date of election. The manner of election, their tenure of office to be as follows: Whereas, the said Perryton Independent School District is composed of a number of common school districts and parts of common school districts in Ochiltree County, and Whereas, a distribution by precincts will conduce to a more equitable apportionment of funds to the various schools of said district. Therefore, it is enacted that said district shall be divided into two separate and distinct election precincts for the election of trustees as follows: Beginning at the southwest corner of Section 81, Block 13; Thence north with section lines to the northeast corner of Section 2, Block 12; Thence east on section lines to the southeast corner of Section 22, Block 11; Thence north on section lines to the northeast corner of Section 12, same block; Thence north across Section 15, Block Z, to the county line. That three of said trustees shall be chosen

from and by the qualified voters within said district in each of said voting precincts; and one of said trustees shall be elected at large. All of said trustees shall be elected at the election to be held as hereinbefore provided, two of said trustees from each precinct shall hold office until the 1st day of May, 1921, or until their successors are elected and qualified, and three shall hold office until May 1st, 1922, and until their successors are elected and qualified. That said trustees shall determine by lot among themselves which shall hold office for the long term and which shall hold office for the short term. And beginning with the first Saturday in April, 1921, and every year thereafter an election shall be held by the qualified voters in Perryton Independent School District for the purpose of electing trustees, four and three, alternately, as herein provided, the term of each trustee to be for two years, or until his successor is qualified. Vacancies in said board of trustees shall be filled by a vote of the majority thereof continuing in office, to be chosen from the qualified electors in the precinct in which said vacancy occurs. Provided that the members of said board now elected and qualified shall hold their office for the term for which they were elected, and until their successors have been elected and qualified, as herein provided.

Sec. 2. All laws and parts of laws in conflict with this Act are hereby repealed in so far as they conflict with its provisions and in case any clauses or sections of this Act shall be held unconstitutional such action by the court shall not invalidate the remaining sections or clauses of this Act.

Sec. 3. The conditions of the public free schools within said territory comprising the territory embraced within the limits defined by Section One of this Act, and the fact that the people residing therein are now without adequate public school buildings and equipment and without funds with which to provide for the same creates an emergency and imperative public necessity exists authorizing the suspension of the Constitutional rule requiring that bills be read on three several days and the same is hereby suspended and

this Act shall take effect and be in force on and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, October 2, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Concurrent Resolution No. 5 and find the same correctly enrolled and have this day at 4:55 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Dorough. S. C. R. No. 5.

Whereas, an interstate inter-race conference is to be held at Texarkana on October 22, 1920, for the purpose of discussing the industrial relation of the negro and white races in the Southern States, and to devise means for the proper dissemination of information on the same; and

Whereas, Governor Hobby has approved of the holding of said conference and has promised to be present and take part therein;

Be it Resolved, By the Senate of Texas, the House of Representatives concurring, That, in our opinion, the object and purpose of said conference is commendable, and will result in much good and benefit to both races, and especially to the great agricultural interest of the Southern States; and invite the leading representatives of both races to participate in the conference.

Committee Room,
Austin, Texas, October 2, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Bill No. 18

Copy hereto attached and find the same correctly enrolled and have this day at 8:10 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Buchanan of Scurry. S. B. No. 18.

An Act amending Sections 4 and 8 of the Acts of the Thirty-sixth Legislature at its Third Called Session, approved June 3, 1920, creating

the Ninetieth Judicial District; removing the limitations in said Act as to the jurisdiction of the district court in said judicial district and adding thereto a new section to be known as Section 8-A, providing that the district attorney of the Forty-second Judicial District shall be the district attorney in the Ninetieth Judicial District, authorizing the district attorney in the Forty-second Judicial District to appoint an assistant district attorney, fixing a limit on the salary of such assistant, and authorizing the payment of such salary out of the fees of office collected by such district attorney upon the approval of the district judge in said Forty-second and Ninetieth Judicial districts, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 4 of Chapter 3 of the Acts of the Thirty-sixth Legislature at its Third Called Session be amended so as to hereafter read as follows:

Section 4. After the taking effect of this Act, the judge of the district court of the Forty-second Judicial District shall by order entered upon the minutes of said court transfer to the district court of the said Ninetieth Judicial District such civil and criminal cases then pending upon the docket of the said district court of the Forty-second Judicial District as shall, within his discretion, equalize the business on the dockets of the said two district courts, taking into consideration the length and the number of terms of said courts, respectively; provided, that no cases then on trial in the said Forty-second Judicial District Court, nor any case on appeal, shall be so transferred; and when said order has been made and entered the clerk of the district court of Stephens County shall make up a docket for the use of said court of the said Ninetieth Judicial District by placing thereon such cases as have been so transferred, in the order of their respective numbers; and the cases so transferred shall bear the same docket numbers as in the court from which they were so transferred.

Sec. 2. That Section 8 of Chapter 3 of the Acts of the Thirty-sixth

Legislature at its Third Called Session be amended so as to hereafter read as follows:

Section 8. That the judge of the district court of the said Ninetieth Judicial District may, in his discretion, have a grand jury drawn for and organized at any term of his court, and all bills of indictment returned by said grand jury shall be returnable to the district court of the Ninetieth Judicial District in said Stephens County.

Sec. 3. That following said Section 8, the following Section 8-A be added:

Section 8-A. The District Attorney in and for the Forty-second Judicial District shall also be the district attorney in and for the Ninetieth Judicial District, and his compensation shall be the same as is now provided by law for district attorneys. After the taking effect of this Act the district attorney of said Forty-second and Ninetieth Judicial Districts may appoint an assistant district attorney for said districts who shall have all the qualifications of the district attorney, such as are necessary to perform the duties and affairs of such office. Said assistant district attorney shall reside in Stephens County and his compensation shall not exceed Three Thousand (\$3,000.00) Dollars per annum. Such salary shall be paid monthly, and the amount thereof shall be fixed by the district attorney by and with the consent of the district judges of the Forty-second and Ninetieth Judicial District Courts by an order entered on the minutes of said courts. Said salary to be paid out of the fees of office collected by said district attorney and such fees to be the same as are now allowed and permitted by law to be paid to district attorneys of this State.

Sec. 4. The rapid increase in population of Stephens County and the crowded condition of the dockets of the district courts of said county creates an emergency and an imperative public necessity demanding the suspension of the Constitutional rule requiring bills to be read on three several days, and that this Act take effect and be in force from and after its passage; and it is so enacted.

Committee Room,

Austin, Texas, October 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Bill No. 1 and find the same correctly enrolled and have this day at 4:35 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Dean, Dayton.

S. B. No. 1.

Page, Gibson, Witt,
Hertzberg, Williford,
Buchanan of Scurry,
Alderdice, and
Davidson.

An Act to amend Article 7354, Chapter

1, Title 126, Revised Civil Statutes of Texas, and Article 2942, Chapter 4, Title 49, Revised Civil Statutes of Texas, and Article 2943, Chapter 4, Revised Civil Statutes of Texas, and Article 2939, Chapter 4, Title 49, Revised Civil Statutes of Texas, all of which articles relate to the qualifications of voters so as to eliminate from the provisions of all of the said articles the word "male" and so as to levy and collect from all persons, both male and female, within certain ages, poll taxes, and fixing the qualifications of voters so as to include all persons, both male and female; providing for the payment of poll taxes by certain persons, male and female, desiring to pay the same in order to vote in elections held in this State prior to February 1st, A. D. 1921; providing for the issuance of exemption certificates in certain cases; prescribing who may vote in the elections held in this State prior to February 1st, 1921; providing penalties for violations of certain of the provisions of this act; providing that nothing herein shall repeal or affect any of the provisions of Article 3 of the General Laws of the First Called Session of the Thirty-sixth Legislature, approved May 9th, 1919, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Article 7354, Chapter 1, Title 126 of the Revised Civil Statutes of Texas be and the same is hereby amended so as to hereafter read as follows:

Article 7354: "There shall be levied and collected from every person be-

tween the ages of twenty-one and sixty years, resident within this State, on the first day of January of each year (Indians not taxed, and persons insane, blind, deaf or dumb, or those who have lost one hand or foot excepted) an annual poll tax of one dollar and fifty cents, one dollar for the benefit of free schools, and fifty cents for general revenue purposes; provided, that no county shall levy more than twenty-five cents poll tax for county purposes."

Sec. 2. That Article 2942, Chapter 4, Title 49, of the Revised Civil Statutes of Texas be and the same is hereby amended so as to hereafter read as follows:

Article 2942: "A poll tax shall be collected from every person between the ages of twenty-one and sixty who resided in this State on the first day of January preceding its levy, Indians not taxed, persons insane, blind, deaf or dumb and those who have lost a hand or foot, or permanently disabled, excepted; which tax shall be collected and accounted for by the tax collector each year and appropriated as required by law. It shall be paid at any time between the first day of October and the first day of February following; and the person, when he pays it, shall be entitled to his poll tax receipt, even if his other taxes are unpaid."

Sec. 3. That Article 2943, Chapter 4, Title 49, of the Revised Civil Statutes of Texas be and is hereby amended so as to hereafter read as follows:

Article 2943: "Every person who is more than sixty years old or who is blind or deaf or dumb, or is permanently disabled, or has lost one hand or foot, shall be entitled to vote without being required to pay a poll tax, if he has obtained his certificate of exemption from the county collector when the same is required by the provisions of this title."

Sec. 4. That Article 2939, Chapter 4, Title 49 of the Revised Civil Statutes of Texas be and the same is hereby amended to hereafter read as follows:

Article 2939: "Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one years, and who shall be a citizen of the United States, and who shall have resided in this State one year next preceding an election, and the last six months within the district or county in which he or she offers to vote, shall be deemed a qualified elector; and every person of for-

eign birth, subject to none of the foregoing disqualifications, who has, not less than six months before an election in which he or she offers to vote, declared his or her intention to become a citizen of the United States, in accordance with the federal naturalization laws, and shall have resided in this State one year next preceding such election and the last six months in the county in which he or she offers to vote, shall also be deemed a qualified voter; and all electors shall vote in the voting precinct of their residence; provided, that the electors living in an unorganized county may vote at an election precinct in the county to which such county is attached for judicial purposes; and provided, further, that any voter who is subject to pay his or her poll tax under the laws of the State of Texas or ordinances of any city or town in this State, shall have paid said tax before he or she offers to vote at any election in this State, and hold a receipt showing the payment of his or her poll tax before the first day of February next preceding such election; and, if he or she is exempt from paying a poll tax and resides in a city of ten thousand inhabitants or more, he or she must procure a certificate showing his or her exemption, as required by this title. Or, if such voter shall have lost or misplaced said tax receipt, he or she shall be entitled to vote, upon making affidavit before any officer authorized to administer oaths that such tax was paid by him or her before said first day of February next preceding such election at which he or she offers to vote, and that said receipt has been lost, misplaced or inadvertently left at home. Such affidavit shall be made in writing and left with the judge of the election. Provided, that in any election held only in a subdivision of a county for the purpose of determining any local question or proposition affecting only such subdivision of the county, then, in addition to the foregoing qualifications, the voter must have resided in said subdivision of the county for six months next preceding such election.

Sec. 4A. Any qualified elector, as defined by the statutes of this State, who expects to be absent from the county of his or her residence, and at any other place in this State, on the day of his or her election may vote subject to the following conditions, to-wit:

At some time not more than ten days nor less than three days prior to the date of such election such elector shall make his or her personal appearance before the county clerk of the county of his or her residence, and if personally unknown to such clerk, shall be identified by at least two reputable citizens of such county, and shall deliver to such clerk his or her poll tax receipt, or exemption certificate, entitling him or her to vote at such election, and said clerk shall deliver to such elector one ballot which has been prepared in accordance with the law for use in such election, which shall then and there be marked by said elector apart and without the assistance or suggestions of any other person, in such manner as said elector shall desire same to be voted, which ballot shall be folded and placed in a sealed envelope and delivered to said clerk who shall keep the same so sealed, and who shall also keep said poll tax receipt or certificate open to the inspection of any person who may wish to examine or see same until the second day prior to said election, and said clerk shall on said second day place the said poll tax receipt or certificate together with the said sealed envelope containing said marked ballot in another envelope which shall be by said clerk then mailed to the presiding judge of the voting precinct in which said elector lives. The postage for the entire correspondence herein made necessary to be provided by said elector. In the presence of the election officers provided by law, and on the day of such election and between the hours of two and three o'clock the said presiding judge of same in the precinct of the residence of said elector shall open the envelope containing said poll tax receipts and marked ballots and publicly announce that the ballot of such named elector is proposed to be cast, at which time any person who desires to challenge said vote and the right of same to be cast, shall be heard to present such challenge, and if there be no challenge of same, said vote shall be cast and counted according to the law; but if there be any challenge of such vote for legal cause, same shall be heard and decided according to the law provided in the case of challenge; and in case no challenge is made, such poll tax receipt, after same is marked "Voted" as provided by law, shall be mailed back to the said county clerk.

But in case of challenge, if challenged, such poll tax receipt together with affidavits relating thereto shall be mailed by said judge of election to the said county clerk of such county who shall keep same for thirty days, and if no demand be made for the production of same before any body or person in authority within said time, said county clerk shall deliver such receipt to the owner thereof. When voted the judge of election shall mark opposite the name of such absentee the word "Absentee." If any person wishing to vote as an absentee voter shall violate any of the provisions of this law, or shall vote or offer to vote illegally, or in any case or at any place where he or she is not entitled to vote, or who shall make any false representation in any effort to be allowed to vote, or who shall attempt to vote on any poll tax receipt issued to any person other than himself or herself, shall be deemed guilty of a violation of the law and upon conviction shall be punished by fine not more than one thousand dollars or by imprisonment in the county jail not more than two years or by both such fine and imprisonment; provided, however, that the right of absentee voting herein given shall apply to any and all primary elections only.

Sec. 5. The poll tax herein levied shall apply to women as well as to men, and every person who has been made a qualified voter in this State under the 19th amendment to the constitution of the United States and who was over twenty-one years of age and under sixty years of age on the 1st day of January, A. D. 1920, must pay the poll tax herein levied prior to the 1st day of February, 1921, in order to participate in elections, general, special or primary, held within this State or any subdivision or municipality thereof, between the 1st day of February, 1921, and the 31st day of January, 1922, both dates inclusive.

Sec. 6. All persons, both male and female, who have heretofore paid the poll tax or secured exemption certificates required by existing laws for voting in primary or general elections held within this State for the year 1920, and all persons, both male and female, who were over the age of sixty years on the 1st day of January, 1919, and who do not reside within cities of ten thousand inhabitants or over, shall be entitled to vote in all elections within the State of Texas which may be

held prior to the 1st day of February, A. D. 1921.

Sec. 7. All persons, male and female, who possess the qualifications of a voter within this State under the Constitution and laws of the United States, but who have not heretofore paid a poll tax within the time prescribed by the laws of this State in order to entitle them, if they had been otherwise qualified, to vote, shall have and are hereby granted until the 22nd day of October, A. D. 1920, in which to pay the poll tax of the same amount heretofore collected from male persons only as a prerequisite to voting in elections held in this State prior to February 1st, A. D. 1921, which tax when so paid shall entitle the persons paying the same to a poll tax receipt and shall entitle the holder thereof to vote in the general election in November, 1920, and in all other elections, general, special, municipal and primary, held within this State prior to the 1st day of February, A. D. 1921,—subject, however, to all other rules and restrictions now provided by the laws governing elections.

Sec. 8. All persons resident within this State on the 1st day of January, A. D. 1920, and who were on said last named date over the age of sixty-one years, and all such persons who have become twenty-one years of age since January 1st, A. D. 1920, shall, if otherwise qualified under existing laws, be entitled to vote in all elections mentioned in the preceding sections of this act, by obtaining prior to October 22nd, 1920, exemption certificates of the same kind now prescribed by the election laws of this State; provided, however, that all persons resident within this State on the 1st day of January, A. D. 1920, and who were more than sixty years of age on the 1st day of January, A. D. 1919, and who do not live in cities of ten thousand inhabitants or over, and who are otherwise qualified, may participate in elections, general, special, municipal and primary held within this State prior to February 1st, 1921, without obtaining exemption certificates; and provided further that discharged soldiers, sailors and marines whose poll taxes were remitted by Act of the Thirty-sixth Legislature passed at the First Called Session thereof, and approved on the 9th day of May, A. D. 1919, and known as

Chapter 3 of the Acts of the First Called Session of the Thirty-sixth Legislature, may vote as provided for in said act without obtaining exemption certificates.

Sec. 9. The tax collectors of the various counties in this State shall issue poll tax receipts and exemption certificates to all persons entitled under the provisions of Sections 7 and 8 of this act to receive the same, and who apply therefor prior to October 22nd, 1920.

Sec. 10. Prior to the 28th day of October, 1920, the County Tax Collector of each county shall deliver to the Board that is charged with the duty, under the general election laws of this State, of furnishing election supplies, separate certified lists of the persons in each precinct who have paid their poll tax or obtained exemption certificates as permitted or required under Sections 7 and 8 of this Act, the names being arranged in alphabetical order, and to each name the proper number as shown by the duplicate, with description of the voter as to his residence, voting precinct, length of residence in State and county, race, occupation and address, or if the voter resides in an incorporated city, the ward and street and number of the voter's residence, if numbered.

If the county has any unorganized county or counties attached to it for judicial purposes, the collector of taxes shall furnish to said board before October 28th as many certified lists of the electors resident in such unorganized county or counties as there are election precincts in such unorganized county, which lists as respects poll tax receipts and exemption certificates shall be identical with those required for poll tax receipts and exemption certificates under prior laws. Said Board shall furnish each presiding judge of the precinct a certified list of the voters of his precinct who have complied with the provisions of this Act, and at the same time that other election supplies are furnished, and such lists of qualified voters shall be in the form required by Article 2961, Revised Civil Statutes of 1911.

Sec. 11. The County Tax Collector of each county in the State shall keep securely in a safe place the duplicates for each precinct from which the said poll tax receipts and exemption certificates have been detached, and they must remain there

except when taken out for examination, which must always be done in his presence, but they shall be burned by the county judge at the expiration of one year, if no election contest shall have in the meantime been instituted.

Sec. 12. On or before the 31st day of October, A. D. 1920, the Collector of Taxes in each county in this State shall make statement to the County Clerk showing how many poll tax receipts and exemption certificates he has issued under the provisions of Sections 7 and 8 of this Act, and to whom issued, in which voting precinct in the county, and such statement shall become a record of the county and as such shall be kept by the county clerk.

Sec. 13. The poll taxes collected by virtue of this Act shall be and are hereby set aside to the State and County and to the particular funds thereof as now prescribed by law for poll taxes heretofore collected.

Sec. 14. This Act shall be construed as being cumulative to the election laws of this State now in force, except that in case of conflict this Act shall control.

Sec. 15. The fact that the general election for the year 1920 is to be held in less than ninety days from the date of the adjournment of this session of the Legislature creates an emergency and an imperative public necessity that the Constitutional rule requiring that bills be read on three successive days be suspended and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, Oct. 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Bill No. 10

Copy hereto attached and find the same correctly enrolled and have this day at 4:35 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Carlock.

S. B. No. 10.

An Act to amend Senate Bill No. 92 passed at the Third Called Session of the Thirty-sixth Legislature, entitled: "An Act to establish a system of public roads and bridges

for Tarrant County and to empower the Commissioners Court thereof to provide rules and regulations therefor, and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes, to constitute each County Commissioner ex-officio Commissioner of the public roads and bridges of the precinct, and to prescribe the powers and duties of the County Commissioners; to authorize and regulate the issuance and sale of bonds under this Act, and to provide the forms of indebtednesses and for the levy of taxes for such purposes, and to allow the issuance of bonds for the purpose of refunding any bonded or other indebtedness heretofore or hereafter incurred by said county; to regulate the expenditure of moneys arising from the sale of such bonds and from the levy of taxes for roads and bridge purposes, to designate and define certain cardinal roads in the county, to provide for the selection of a county engineer and for the employment of a consulting engineer; and to empower the Commissioners Court to make such contracts with respect to the construction, maintenance or repair of the roads and bridges that may be necessary, and to employ the convicts on said roads, and to provide for the compensation of the Commissioners for the performance of their duties under the terms of this Act, and to prescribe penalties for the violation of this Act, and repealing all laws in conflict with the provisions hereof, and declaring an emergency," by adding Section 27-a thereto so as to enable the county to advance moneys, under proper safeguards and security, on the purchase of materials for the construction of roads, and the maintenance and repair thereof, and to enter into contracts for such purposes, and to lease, where necessary, railway cars for the delivery of such road building material to the place or places where same is to be used, and repealing all laws in conflict therewith and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Senate Bill No. 92 passed at the Third Called Session of the Thirty-sixth Legislature, being

An Act to provide a system of public roads and bridges for Tarrant County, be amended by adding thereto Section 27-a, which shall follow Section 27 thereof, to read as follows:

Sec. 27-a. Where moneys are derived from the sale of bonds, whether under the terms of this Act or pursuant to the provisions of the Constitution and General Statutes, issued for the construction of roads and bridges, or for the repair and maintenance thereof, or for both such purposes, and it appears after diligent effort that it is difficult or impracticable to obtain in the ordinary way the requisite material for the building or repair of such roads, and that a substantial saving would result to the county by advancing money to the contractor for the acquisition of such material, the Commissioners Court is hereby vested with the power and authority to advance money out of the proceeds of such bond issue in payment of such material to the person or corporation owning same on the following terms and conditions:

Before moneys are advanced by the county a definite contract in writing shall be made for the quantity and kind of material required, the price and terms thereof, the periods and place of delivery, and contemporaneously therewith a satisfactory bond shall be given by the contractor for the due and faithful performance of the contract with a solvent surety or guaranty company, authorized to do business in the State of Texas, as surety thereon and with such other provisions and conditions as the county may see fit to impose. Not more than one-half of the amount of the contract shall be advanced by the county, and in no event shall such advancement exceed fifty thousand dollars in the aggregate and all such advancements shall be secured by a first and paramount lien in favor of the county on the material so to be furnished by the contractor and on his tools, machinery, apparatus, trucks, motor cars and teams, and such advancements shall be secured by a separate bond, with a solvent surety or guaranty company, authorized to do business in the State of Texas, as surety thereon, in double the amount of the moneys advanced conditioned for the repayment of such moneys or their equivalent in material within the time therein stipulated, and for the payment of

interest thereon during the time of such use at the rate of not less than four per cent per annum, and containing such other conditions as may be deemed necessary to safeguard the interests of the county, with the additional right on the part of the county to urge as an offset moneys so advanced in any claim for material on the part of such contractor.

Provided further, That where bids have been sought in the manner prescribed by law for the purchase of road materials, under the conditions and terms named in this section, and satisfactory bids have not been elicited, and a saving in moneys would accrue to the county by proceeding otherwise, further competitive bids may be dispensed with; but in all such cases, whether the contract or contracts be let on competitive bids or not, all claims for the purchase of material growing out of any such contract authorized by this section shall be first submitted to the county auditor for his examination and approval as now required by law.

The commissioners court shall have the power and authority, where necessary, to lease or hire railway cars for the purpose of delivering said road material to the place or places where same is to be used.

Sec. 2. All laws and parts of laws, general or special, in conflict herewith, be and the same are hereby repealed.

Sec. 3. The necessity for relief in the matter of the purchase of material in Tarrant County, and the importance of this measure to the people thereof, creates an emergency and an imperative public necessity that the Constitutional rule requiring that bills be read on three several days in each House be suspended and that this Act be put upon its third reading and final passage, and said rule is hereby suspended and this Act shall take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, October 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Bill No. 13 and find the same correctly enrolled and have this day at 4:35 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Smith.

S. B. No. 13.

An Act creating the Laneville Independent School District of Rusk County; defining its boundaries; vesting it with the rights, powers, duties, and privileges of districts incorporated for school purposes only under the General Laws; providing for a board of trustees therefor; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas.

Section 1. That there is hereby created and established in Rusk County, Texas, an incorporation for free school purposes only, under the name and to be known as the Laneville Independent School District, which shall include within its limits the following described territory, to-wit:

Lying and being situated in the county of Rusk, State of Texas, about 13 miles South from the town of Henderson, and being a part of the Wm. William, James McCune, Henry Stockman, and H. S. Gonzales leagues and a part of the W. B. Pace, R. L. Reed, J. B. Gagne and J. H. Chambers head-right and more particularly described as follows, to-wit:

Beginning at Laneville, more particularly at the N. W. corner of J. T. Irwin homestead of 248 acres, said corner being in the middle of the Henderson and Douglas road; thence N. 20 1/4 E. 1485 varas; thence N. 6 1/2 E. to Jas. A. Pruitt's S. W. Corner, said corner being on N. B. of said Wm. Williams League; thence N. 10 E. with W. B. of said Jack A. Pruitt, to his N. W. Corner; thence S. 62 1/2 E. with his N. B. line to his N. E. Corner; thence N. 25 E. with W. B. of Jas. McCune league to the N. W. Corner of the same; thence S. 65 E. with N. B. of said McCune league to the N. E. Corner of J. F. and P. R. Williamson's 280 8/9 acre survey; Thence S. 25 W. with their E. B. to the N. W. Corner of the J. F. and M. P. Williams 200 acre survey; Thence S. 65 E. with their N. B. to their N. E. Corner; thence S. 25 W. with E. B. of the same to the N. W. Corner of Jas. L. McCune's 100 acre tract; Thence S. 65 E. to his N. E. Corner; Thence N. 25 E. with Jno. W. McCune's W. B. to his N. W. Corner; thence S. 65 E. with his N. B. to his N. E. Corner; thence S. 25 W. with his E. B. to his S. E. Corner on S. B. of the said Jas. McCune league; Thence N. 65 W. with said S. B. league line going the same with S. B. of said

Jno. W. McCune to the N. E. Corner of Mrs. Salle Blair's land, this corner being the same; thence N. 65 W. with S. B. of same to Wm. F. Bradberry's most northerly N. E. Corner; Thence S. $\frac{1}{2}$ E. with his E. B. to corner; thence S. 65 E. to H. L. Johnson's N. W. Corner; thence S. 25 W. with E. B. said Bradberry land to said H. L. Johnson's S. W. Corner; Thence in an easterly direction (probably S. 65 E.) with said H. L. Johnson's S. B. line, to the most easterly N. E. Corner of said Bradberry tract; thence S. 25 E. with E. B. of the Bradberry tract to the S. E. Corner; thence S. 25 W. with his E. B. line to his S. E. Corner on S. B. of the Henry Stockman league; Thence N. 65 with S. B. of said League to the Andarka creek; Thence down said creek with its meanders, being a part of B. F. Guy's S. B. line to B. F. Guy's and W. F. Bradberry's pasture; thence in a southerly and westerly direction with the Eastern and Southern boundary of said pasture to the E. B. of J. M. Fussell's 48 $\frac{5}{7}$ acre survey; Thence S. 25 W. with his E. B. to the S. E. Corner of his 15 acre survey; Thence N. 65 W. with the S. B. of his 15 acre tract and gin lot and Mrs. Mary A. Wood's land to said Mrs. Wood's S. W. Corner; Thence N. 25 E. with her W. B. to the S. E. Corner of the D. H. Wallace place; Thence N. 65 W. with S. B. of the D. H. Wallace tract (now owned by Richard McNeil) to the E. B. of the J. D. and W. S. Moss tract; thence S. 25 W. with E. B. of same to their S. E. Corner; Thence N. 65 W. with the S. B. of said Moss survey and Vingent Blair's old homestead to the most easterly N. E. Corner of the W. H. Needham's homestead; Thence S. 25 W. with his E. B. to his S. E. Corner; Thence S. 80 W. with S. B. of said Needham tract and the S. B. of M. T. Well 421 acre survey to his S. W. Corner on E. B. of M. V. Blair's land; Thence S. 25 W. with said E. B. of J. V. Blair's tract to the Anadarka creek; Thence down said creek to J. V. Blair's S. W. Corner (or W. B. line); Thence N. 25 E. with his W. B. to his N. W. Corner on the S. B. of the R. W. Smith headright survey; Thence N. 65 W. with S. B. of said R. W. Smith survey to the S. W. Corner of the same; Thence S. 65 E. with N. B. of same to the S. W. Corner of the Wm. Williams league; Thence N. 25 E. with W. B. of said league to Jim K. Irwin S. E. Corner; Thence N. 65 W. S. B. of his tract to

his S. W. Corner on Angelina creek; Thence up said creek with the W. B. of said Irwin's tract and James Riddle to Riddle's N. W. Corner; Thence S. 65 E. with the N. B. of his tract to his N. E. Corner on Miller Walker's W. B. of his homestead; Thence N. 25 E. with his W. B. (also being the W. B. of Wm. Williams league) and Dr. A. H. Galloway W. B. to his N. W. Corner the same with N. W. Corner of said Wm. Williams League; Thence S. 65 E. with N. B. of said Wm. Williams league 2500 varas to corner; Thence S. 25 W. to the N. E. Corner of the Wm. Walker tract; Thence S. 65 E. to corner N. 20 $\frac{1}{4}$ E. 1485 varas from the place of beginning, containing 12,000 acres more or less and embracing and including the town of Laneville and to be known hereafter as the Laneville Independent School District.

Sec. 2. Said Laneville Independent School District shall have and exercise, and is hereby vested with all the rights, powers, privileges and duties of a town or village incorporated under the General Laws of this State for free school purposes only, and the board of trustees of said Laneville Independent School District shall have and exercise, and is hereby vested with all the rights, powers, privileges and duties conferred and imposed by the General Laws of this State upon the trustees of Independent School Districts created and organized for school purposes only under the General Laws of this State. Among the rights, powers, privileges and duties mentioned shall be the rights and powers of levying and collecting taxes, for the issuance of bonds for the purpose of constructing and equipping public free school building or buildings for said district, the purchase of land for school house sites and for the maintenance of the public free schools as are provided under the General Laws for the levying and collecting taxes for said purpose in towns and villages incorporated for public free school purposes only.

Sec. 3. The control and management of the schools of the said Laneville Independent School District are hereby vested in a board of seven trustees, to be elected in accordance with Section 164, Chapter 124, of the Acts of the Thirty-ninth Legislature;

provided that immediately on the taking effect of this Act the County Judge of Rusk County shall, without the necessity of a petition addressed to him for that purpose, order an election for seven trustees for said Laneville Independent School District of Rusk County and the order of election, election notice, manner of holding the same, etc., to be in accordance with the provisions of the General Laws governing the election of trustees in Independent School Districts.

Sec. 4. The deplorable condition of the public free school within said district as herein laid out, being without adequate school accommodations and without necessary funds to provide the same, creates an emergency and an imperative public necessity that the Constitutional rule requiring Bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, October 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Bill No. 14

Copy hereto attached and find the same correctly enrolled and have this day at 4:35 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By McNealus.

S. B. No. 14.

An Act to amend Chapter 63, of the Special Laws of the Thirty-sixth Legislature, passed at the second called session; the same being a special road law for Dallas County, Texas, by adding thereto a new section to be known as Section 12-A, conferring additional authority upon the commissioners of said county as to the purchase and lease of material, machinery and equipment; and providing that under certain conditions money may be advanced by said county for such purposes, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 63 of the Special Laws of the Thirty-sixth Legislature, as passed by the second called session, shall be, and is hereby amended by adding thereto Section

12-A, which shall read as follows:

Section 12-A. The County of Dallas, or any political subdivision thereof, or any road district or districts wholly within said county, shall have the power and authority, and said power and authority is hereby given and conferred on said county, political subdivision or road district, acting by and through the commissioners court of said county, to contract for and purchase at any place in the State of Texas any road building material, such as rock, gravel, sand, or other road building material, for use in road construction within said county, political subdivision thereof, or road district; also to purchase rock crushing machinery or such other machinery and material necessary to be used in preparing said road material for use in the construction of such roads, and to advance money in payment therefor to any person, or corporation, owning or controlling such machinery or road building material out of any funds on hand, the proceeds of bond issues or other funds belonging to said county, or political subdivision, or road district, to be used for road and bridge purposes, and to secure the delivery of such road building machinery and material under such terms and conditions as may mutually be agreed upon. Provided, that if such advances are made, the same shall be properly secured by mortgage, lien, bond or other securities, which will fully protect the county, political subdivision or district from loss, the terms of such mortgage, lien, bond, or other securities to be fixed by the commissioners court and approved by the legal advisor to said court, if there be such, and if there be no legal adviser, to be approved by the district attorney of Dallas County, Texas.

Provided further, that said county, or any political subdivision thereof, or road district, shall have the power and authority to purchase, or lease, the necessary railway cars to deliver said road building material to the place or places where same is to be used.

Sec. 2. The importance of this legislation and the short term of this special session creates an emergency and an imperative public necessity that the Constitutional rule re-

quiring bills to be read on three separate days be, and is hereby suspended, and this Act shall take effect and be enforced from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, October 2, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled bills, have carefully compared Senate Bill No. 15

Copy hereto attached and find the same correctly enrolled and have this day at 4:35 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Gibson.

S. B. No. 15.

An Act repealing Chapter 32, General and Special Laws, enacted by First Called Session of Thirty-fifth Legislature, being an Act granting to Fannin County a more efficient road law; providing that general laws of the State in relation to working roads and appointment of overseers shall be applicable to Fannin County, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 32 of the General and Special Laws, enacted First Called Session of the Thirty-fifth Legislature, being an Act granting to Fannin County a more efficient road law, be and the same is hereby repealed.

Sec. 2. That the General Laws of the State of Texas relating to the working of public roads and the appointment of road overseers shall hereafter be applicable to Fannin County in lieu of any special road law heretofore enacted.

Sec. 3. That the efforts to properly care for the public roads of said Fannin county without overseers having failed, and in order to have overseers appointed immediately to care for the said roads during the coming winter, creates an emergency within the meaning of the Constitution and an imperative public necessity that the Constitutional rules requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.